

<b>Pages</b>	<b>Journal</b>	<b>Pages</b>	<b>Journal</b>	<b>Pages</b>	<b>Journal</b>
1-59	<a href="#">Day 01 - 01/08/14</a>	60-67	<a href="#">Day 02 - 01/09/14</a>	68-76	<a href="#">Day 03 - 01/13/14</a>
77-87	<a href="#">Day 04 - 01/14/14</a>	88-97	<a href="#">Day 05 - 01/15/14</a>	98-107	<a href="#">Day 06 - 01/16/14</a>
108-125	<a href="#">Day 07 - 01/21/14</a>	126-136	<a href="#">Day 08 - 01/22/14</a>	137-145	<a href="#">Day 09 - 01/23/14</a>
146-152	<a href="#">Day 10 - 01/27/14</a>	153-160	<a href="#">Day 11 - 01/28/14</a>	161-174	<a href="#">Day 12 - 01/29/14</a>
175-189	<a href="#">Day 13 - 01/30/14</a>	190-198	<a href="#">Day 14 - 02/03/14</a>	199-208	<a href="#">Day 15 - 02/04/14</a>
209-217	<a href="#">Day 16 - 02/05/14</a>	218-235	<a href="#">Day 17 - 02/06/14</a>	236-243	<a href="#">Day 18 - 02/10/14</a>
244-259	<a href="#">Day 19 - 02/11/14</a>	260-266	<a href="#">Day 20 - 02/12/14</a>	267-282	<a href="#">Day 21 - 02/13/14</a>
283-294	<a href="#">Day 22 - 02/17/14</a>	295-309	<a href="#">Day 23 - 02/18/14</a>	310-323	<a href="#">Day 24 - 02/19/14</a>
324-352	<a href="#">Day 25 - 02/20/14</a>	353-361	<a href="#">Day 26 - 02/24/14</a>	362-375	<a href="#">Day 27 - 02/25/14</a>
376-417	<a href="#">Day 28 - 02/26/14</a>	418-441	<a href="#">Day 29 - 02/27/14</a>	442-454	<a href="#">Day 30 - 03/04/14</a>
455-472	<a href="#">Day 31 - 03/05/14</a>	473-487	<a href="#">Day 32 - 03/06/14</a>	488-520	<a href="#">Day 33 - 03/10/14</a>
521-540	<a href="#">Day 34 - 03/11/14</a>	541-549	<a href="#">Day 35 - 03/12/14</a>	550-573	<a href="#">Day 36 - 03/13/14</a>
574-577	<a href="#">Day 37 - 03/18/14</a>	578-600	<a href="#">Day 38 - 03/24/14</a>	601-617	<a href="#">Day 39 - 03/25/14</a>
618-631	<a href="#">Day 40 - 03/26/14</a>	632-664	<a href="#">Day 41 - 03/27/14</a>	665-668	<a href="#">Day 42 - 03/28/14</a>
669-682	<a href="#">Day 43 - 03/31/14</a>	683-705	<a href="#">Day 44 - 04/01/14</a>	706-720	<a href="#">Day 45 - 04/02/14</a>
721-753	<a href="#">Day 46 - 04/03/14</a>	754-769	<a href="#">Day 47 - 04/07/14</a>	770-798	<a href="#">Day 48 - 04/08/14</a>
799-809	<a href="#">Day 49 - 04/09/14</a>	810-834	<a href="#">Day 50 - 04/10/14</a>	835-845	<a href="#">Day 51 - 04/14/14</a>
846-866	<a href="#">Day 52 - 04/15/14</a>	867-883	<a href="#">Day 53 - 04/16/14</a>	884-902	<a href="#">Day 54 - 04/17/14</a>
903-918	<a href="#">Day 55 - 04/22/14</a>	919-942	<a href="#">Day 56 - 04/23/14</a>	943-964	<a href="#">Day 57 - 04/24/14</a>
965-984	<a href="#">Day 58 - 04/28/14</a>	985-1036	<a href="#">Day 59 - 04/29/14</a>	1037-1205	<a href="#">Day 60 - 04/30/14</a>
1206-1249	<a href="#">Day 61 - 05/01/14</a>	1250-1287	<a href="#">Day 62 - 05/05/14</a>	1288-1358	<a href="#">Day 63 - 05/06/14</a>
1359-1428	<a href="#">Day 64 - 05/07/14</a>	1429-1475	<a href="#">Day 65 - 05/08/14</a>	1476-1501	<a href="#">Day 66 - 05/12/14</a>
1502-1539	<a href="#">Day 67 - 05/13/14</a>	1540-1617	<a href="#">Day 68 - 05/14/14</a>	1618-1743	<a href="#">Day 69 - 05/15/14</a>
1744-1849	<a href="#">Day 70 - 05/16/14</a>	1850-1856	<a href="#">Day 71 - 05/30/14</a>		
<b>Veto Session</b>					
1-105	<a href="#">Day 01 - 09/10/14</a>	106-114	<a href="#">Day 02 - 09/11/14</a>		

**JOURNAL OF THE SENATE**  
**NINETY-SEVENTH GENERAL ASSEMBLY**  
**OF THE**  
**STATE OF MISSOURI**  
**SECOND REGULAR SESSION**

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**FIRST DAY—WEDNESDAY, JANUARY 8, 2014**

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The Senate was called to order at 12:00 noon by Lieutenant Governor Peter Kinder.

The Reverend Carl Gauck offered the following prayer:

“Create in me a clean heart, O God, and put a new and right spirit within me.” (Psalm 51:10)

As we begin a new year as colleagues concerned about the people we serve we ask, O God, that Your Spirit would fall anew on us and Your righteousness will continue to guide us this session, so that what we do, say and act on may be as You desire for us. May Your blessing be on us, our families and our staff and may we always be thankful for Your gifts to us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

Senator Richard announced photographers from the Jefferson City News Tribune and WGEM-TV were given permission to take pictures in the Senate Chamber.

**MESSAGES FROM THE  
SECRETARY OF STATE**

The President laid before the Senate the following communication from the Secretary of State, which was read:

**To the Honorable Senate of the 97th General Assembly, Second Regular Session, of the State of Missouri:**

**In compliance with Section 115.525, Revised Statutes of Missouri, I have the honor to lay before you herewith a list of the names of the members of the Senate for the 97th General Assembly (Second Regular Session) of the State of Missouri, elected at the November 2, 2010 General Election, and the November 6, 2012 General Election.**

**IN TESTIMONY WHEREOF, I hereunto set my hand and affix the official seal of my office this 8<sup>th</sup> day of January, 2014.**

/s/ Jason Kander

(Seal)

SECRETARY OF STATE

**MISSOURI STATE SENATORS**

Elected November 6, 2012

District	Name
1st	Scott Sifton
3rd	Gary Romine
5th	Jamilah Nasheed
7th	Jason Holsman
9th	Shalonn (Kiki) Curls
11th	Paul LeVota
13th	Gina Walsh
15th	Eric Schmitt
17th	Ryan Silvey
19th	Kurt Schaefer
21st	David Pearce
23rd	Tom Dempsey
25th	Doug Libla
27th	Wayne Wallingford
29th	David Sater
31st	Ed Emery
33rd	Mike Cunningham

**MISSOURI STATE SENATORS**

Elected November 2, 2010

District	Name
2nd	Scott T. Rupp
4th	Joseph P. Keaveny
6th	Mike Kehoe
8th	Will Kraus
10th	Jolie L. Justus
12th	Brad Lager

<b>14th</b>	<b>Maria Chappelle-Nadal</b>
<b>16th</b>	<b>Dan W. Brown</b>
<b>18th</b>	<b>Brian Munzlinger</b>
<b>20th</b>	<b>Jay Wasson</b>
<b>*22nd</b>	<b>vacant</b>
<b>24th</b>	<b>John T. Lamping</b>
<b>26th</b>	<b>Brian Nieves</b>
<b>28th</b>	<b>Michael L. Parson</b>
<b>30th</b>	<b>Bob Dixon</b>
<b>32nd</b>	<b>Ronald F. (Ron) Richard</b>
<b>34th</b>	<b>Rob Schaaf</b>

**\*vacant due to the resignation of Ryan McKenna**

The following Senators were present during the day's proceedings:

**Present—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

The President declared the Second Regular Session of the 97th General Assembly convened.

## **RESOLUTIONS**

Senator Richard offered the following resolution, which was read and adopted:

### **SENATE RESOLUTION NO. 1054**

BE IT RESOLVED, by the Senate of the Ninety-seventh General Assembly of Missouri, Second Regular Session, that the rules adopted by the Ninety-seventh General Assembly of the State of Missouri, First Regular Session, as amended, insofar as they are applicable, be adopted as the rules for the control of the deliberations of the Senate of the Ninety-seventh General Assembly, Second Regular Session.

Senator Richard offered the following resolution, which was read and adopted:

### **SENATE RESOLUTION NO. 1055**

BE IT RESOLVED by the Senate, that the Secretary of the Senate inform the House of Representatives that the Senate of the Second Regular Session of the Ninety-seventh General Assembly is duly convened and is now in session and ready for consideration of business.

Pursuant to Section 9.141, RSMo, the Bill of Rights was read.

On motion of Senator Richard, the Senate recessed until 1:30 p.m.

**RECESS**

The time of recess having expired, the Senate was called to order by President Pro Tem Dempsey.

**MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 12, 2013, while the Senate was not in session.

Karen J. Anderson, 4100 East Liberty Lane, Hartsburg, Boone County, Missouri 65039, as a member of the Missouri State Foster Care and Adoption Board, for a term ending May 31, 2016, and until her successor is duly appointed and qualified; vice, RSMo 210.617.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 7, 2014, while the Senate was not in session.

Harry Riley Bock, Democrat, 901 Davis Street, New Madrid, New Madrid County, Missouri 63869, as a member of the Public Defender Commission, for a term ending January 6, 2020, and until his successor is duly appointed and qualified; vice, Eric V. Barnhart, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Marilynn J. Bradford, Independent, 4212A Willowlake Court, Jefferson City, Cole County, Missouri 65109, as a member of the Conservation Commission, for a term ending June 30, 2019, and until her successor is duly appointed and qualified; vice, Marilynn

J. Bradford, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Ellen M. Burkemper, 243 Hill Creek Road, Troy, Lincoln County, Missouri 63379, as a member of the State Committee for Social Workers, for a term ending October 23, 2014, and until her successor is duly appointed and qualified; vice, Ellen M. Burkemper, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Mariann Burnetti-Atwell, 1006 El Dorado Drive, Jefferson City, Cole County, Missouri 65101, as a member of the State Committee of Psychologists, for a term ending August 24, 2018, and until her successor is duly appointed and qualified; vice, Mariann Burnetti-Atwell, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Bradley Calvin, 157 Denise Court, Troy, Lincoln County, Missouri 63379, as a member of the Board of Boiler and Pressure Vessel Rules, for a term ending September 28, 2014, and until his successor is duly appointed and qualified; vice, Bradley Calvin, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Kevin B. Cantwell, Independent, 5568 Hennsley Circle, Weldon Spring, Saint Charles County, Missouri 63304, as a member of the Regional Convention and Sports Complex Authority, for a term ending May 31, 2016, and until his successor is duly appointed and qualified; vice, Kevin B. Cantwell, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Bryan Chapman, 4400 Amberview Lane, Farmington, Saint Francois County, Missouri 63640, as a member of the Missouri Dental Board, for a term ending October 16, 2018, and until his successor is duly appointed and qualified; vice, Bryan Chapman, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

William Compere, 1266 East Portland, Springfield, Greene County, Missouri 65804, as a member of the Public School Retirement System of Missouri Board of Trustees, for a term ending June 30, 2017, and until his successor is duly appointed and qualified; vice, William Compere, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on

December 6, 2013, while the Senate was not in session.

Mary D. Craig, 600 Lincoln Street, Green Castle, Sullivan County, Missouri 63544, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, Mary D. Craig, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Lisa J. Crandall, 607 Caspian Circle, Ashland, Boone County, Missouri 65010, as a member of the Missouri Planning Council for Developmental Disabilities, for a term ending June 30, 2014, and until her successor is duly appointed and qualified; vice, Lisa J. Crandall, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Anna E. Crosslin, Democrat, 3651 Shenandoah, St. Louis City, Missouri 63110, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2019, and until her successor is duly appointed and qualified; vice, Anna E. Crosslin, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Bruce Darrough, Democrat, 3748 Cranberry Court, Florissant, St. Louis County, Missouri 63033, as a member of the Linn State Technical College Board of Regents, for a term ending December 29, 2013, and until his successor is duly appointed



and qualified; vice, Bruce Darrough, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Wendy D. Davis, 1700 Forum Boulevard #2106, Columbia, Boone County, Missouri 65203, as a member of the Missouri Planning Council for Developmental Disabilities, for a term ending June 30, 2015, and until her successor is duly appointed and qualified; vice, Wendy D. Davis, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Josef Denother, 7161 Delmar Boulevard, Saint Louis City, Missouri 63130, as a member of the Missouri Electronic Prior Authorization Committee, for a term ending at the pleasure of the Governor, until his successor is duly appointed and qualified; vice, Josef Denother, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Jerald A. Dickey, Republican, 26109 South Skyline Drive, Harrisonville, Cass County, Missouri 64701, as a member of the State Board of Embalmers and Funeral Directors, for a term ending April 1, 2018, and until his successor is duly appointed and qualified; vice, Jerald A. Dickey, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Tim Dollar, Democrat, 1079 Lake Point Court, Blue Springs, Jackson County, Missouri 64014, as a member of the Conservation Commission, for a term ending June 30, 2019, and until his successor is duly appointed and qualified; vice, Tim Dollar, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Julie T. Donelon, 814 Rockwell Lane, Kansas City, Jackson County, Missouri 64112, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2015, and until her successor is duly appointed and qualified; vice, Julie T. Donelon, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 7, 2014, while the Senate was not in session.

Joseph L. Driskill, Democrat, 109 Monterey Drive, Jefferson City, Cole County, Missouri 65109, as a member of the State Board of Education, for a term ending July 1, 2021, and until his successor is duly appointed and qualified; vice, Deborah L. Demien, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

David C. Dwyer, Independent, 16528 Thunderhead Canyon Court, Wildwood, Saint Louis County, Missouri 63011, as a member of the Amusement Ride Safety Board, for a term ending April 17, 2014, and until his successor is duly appointed and qualified; vice, David C. Dwyer, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Carol R. Fischer, 1025 Carol Street, Jefferson City, Cole County, Missouri 65101, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, Carol R. Fischer, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 7, 2014, while the Senate was not in session.

Tracy Flanigan, Republican, 1309 South Main Street, Carthage, Jasper County, Missouri 64836, as a member of the Missouri Southern State University Board of Governors, for a term ending August 30, 2019, and until her successor is duly appointed and qualified; vice, Richard A. Walter, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 19, 2013, while the Senate was not in session.

Richard Fordyce, 31888 East 240th Avenue, Bethany, Harrison County, Missouri 64424, as Director of the Department

of Agriculture, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Gene A. Forrester, 2400 Blackthorne Lane, Columbia, Boone County, Missouri 65201, as a member of the Missouri Electronic Prior Authorization Committee, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified; vice, Gene A. Forrester, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 18, 2013, while the Senate was not in session.

Dennis D. Fowler, Republican, 30473 State Highway 25, Advance, Stoddard County, Missouri 63730, as a member of the Board of Probation and Parole, for a term ending December 17, 2019, and until his successor is duly appointed and qualified; vice, Brian C. Jamison, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Virginia L. Fry, Republican, 2249 East Wildwood Circle Drive North, Springfield, Greene County, Missouri 65804, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2019, and until her successor is duly appointed and qualified; vice, Virginia L. Fry, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Harry Ralph Gaw, Democrat, 31311 Highway 5, Tipton, Moniteau County, Missouri 65081, as a member of the State Soil and Water Districts Commission, for a term ending August 15, 2016, and until his successor is duly appointed and qualified; vice, Harry Ralph Gaw, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

David L. Gourley, Republican, 3432 Coke Road, Mountain Grove, Wright County, Missouri 65711, as a member of the Missouri Veterinary Medical Board, for a term ending August 29, 2014, and until his successor is duly appointed and qualified; vice, David L. Gourley, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Rhonda K. Haight, 12020 Northeast 148<sup>th</sup> Street, Liberty, Clay County, Missouri 64068, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2015, and until her successor is duly appointed and qualified; vice, Rhonda K. Haight, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Daniel Hall, Democrat, 7451 Chimney Ridge Road, Columbia, Boone County, Missouri 65203, as a member of the Public Service Commission, for a term ending September 27, 2019, and until his successor is duly appointed and qualified; vice, Daniel Hall, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 12, 2013, while the Senate was not in session.

Morris Heitman, Republican, 1605 Childers Drive, Mound City, Holt County, Missouri 64470, as a member of the Missouri Agricultural and Small Business Development Authority, for a term ending June 30, 2015, and until his successor is duly appointed and qualified; vice, T. Brooks Hurst, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 12, 2013, while the Senate was not in session.

Linda Hosman, 18504 East 24<sup>th</sup> Street South, Independence, Jackson County, Missouri 64057, as a member of the Missouri State Foster Care and Adoption Board, for a term ending May 31, 2016, and until her successor is duly appointed and qualified; vice, RSMo 210.617.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 6, 2014, while the Senate was not in session.

Joseph Hunt, Democrat, 7500 Bull Drive, Saint Louis, Saint Louis County, Missouri 63123, as a member of the Regional Convention and Sports Complex Authority, for a term ending May 31, 2018, and until his successor is duly appointed and

qualified; vice, Bruce Thomas Sommer, resigned.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Douglas R. Kennedy, Democrat, 616 Pine Cone Road, Poplar Bluff, Butler County, Missouri 63902, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2015, and until his successor is duly appointed and qualified; vice, Douglas R. Kennedy, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 7, 2014, while the Senate was not in session.

Michael Kilgore, 6104 Brookside Boulevard, Kansas City, Jackson County, Missouri 64113, as a member of the Kansas City Board of Police Commissioners, for a term ending January 6, 2018, and until his successor is duly appointed and qualified; vice, Lisa Pelofsky, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 7, 2014, while the Senate was not in session.

John P. King, Republican, 7803 Cardinal Ridge Court, Saint Louis, Saint Louis County, Missouri 63119, as a member of the Saint Louis County Board of Election Commissioners, for a term ending January 10, 2017, and until his successor is

duly appointed and qualified; vice, John W. Sisco, III, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Patricia L. Kohl, 2836 Manderly Drive, Brentwood, Saint Louis County, Missouri 63144, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, Patricia L. Kohl, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 12, 2013, while the Senate was not in session.

Donald G. LaFerla, Republican, 902 South Quail Run, Carthage, Jasper County, Missouri 64836, as a member of the Southeast Missouri State University Board of Regents, for a term ending January 1, 2019, and until his successor is duly appointed and qualified; vice, Donald B. Bedell, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Sara Nell Lampe, Democrat, 702 East Stanford Street, Springfield, Greene County, Missouri 65807, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2017, and until her successor is duly appointed and qualified; vice, Sara Nell Lampe, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor



Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

John J. Larsen Jr., Democrat, 3842 Flora Place, Saint Louis City, Missouri 63110, as a member of the Labor and Industrial Relations Commission, for a term ending June 27, 2018, and until his successor is duly appointed and qualified; vice, John J. Larsen Jr., withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 12, 2013, while the Senate was not in session.

Michael Larsen, Democrat, 2013 Springwood Court, Jefferson City, Cole County, Missouri 65101, as a member of the Land Reclamation Commission, for a term ending September 28, 2017, and until his successor is duly appointed and qualified; vice, James M. Dipardo, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

O. Victor Lenz Jr., Republican, 4628 Bridlewood Terrace, Saint Louis, Saint Louis County, Missouri 63128, as a member of the State Board of Education, for a term ending July 1, 2019, and until his successor is duly appointed and qualified; vice, O. Victor Lenz Jr., withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 7, 2014, while the Senate was not in session.

Nicole L. Loethen, 2639 Jennifer Drive, Jefferson City, Cole County, Missouri 65101, as a member of the Missouri Quality Home Care Council, for a term ending March 1, 2016, and until her successor is duly appointed and qualified; vice, Mayme Young, resigned.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

William L. Manes, 9384 Sandy Church Road, Hillsboro, Jefferson County, Missouri 63050, as a member of the Board of Boiler and Pressure Vessel Rules, for a term ending September 28, 2016, and until his successor is duly appointed and qualified; vice, William L. Manes, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Kenneth Markwell, 1719 Chelle Lane, Jefferson City, Cole County, Missouri 65101, as a member of the Board of Geologist Registration, for a term ending April 11, 2014, and until his successor is duly appointed and qualified; vice, Kenneth Markwell, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 6, 2014, while the Senate was not in session.

John A. Martin, Democrat, 200 West 115<sup>th</sup> Terrace, Kansas City, Jackson County, Missouri 64114, as a member of the

State Board of Education, for a term ending July 1, 2014, and until his successor is duly appointed and qualified; vice, Stanley A. Archie, resigned.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Kelley M. Martin, Republican, 5915 Northwest 96<sup>th</sup> Terrace, Kansas City, Platte County, Missouri 64154, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2019, and until his successor is duly appointed and qualified; vice, Kelley M. Martin, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 12, 2013, while the Senate was not in session.

Michelle Martin, 14485 Fox Manor Drive, Florissant, Saint Louis County, Missouri 63034, as a member of the Missouri State Foster Care and Adoption Board, for a term ending May 31, 2016, and until her successor is duly appointed and qualified; vice, RSMo 210.617.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Terri R. Marty, 7058 Greenwood Hills, Fulton, Callaway County, Missouri 65251, as a member of the State Committee for Social Workers, for a term ending October 28, 2016, and until her successor is duly appointed and qualified; vice, Terri

R. Marty, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 7, 2014, while the Senate was not in session.

John W. Maupin, Republican, 567 North Spoede Road, Creve Coeur, Saint Louis County, Missouri 63141, as a member and Secretary of the St. Louis County Board of Election Commissioners, for a term ending January 10, 2017, and until his successor is duly appointed and qualified; vice, Julie Jones, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Ashley McCarty, Democrat, 17287 Jersey Trail, Novinger, Adair County, Missouri 63559, as a member of the Clean Water Commission of the State of Missouri, for a term ending April 12, 2016, and until her successor is duly appointed and qualified; vice, Ashley McCarty, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Arteveld J. McCoy II, Independent, 334 Reighley Place, Florissant, St. Louis County, Missouri 63033, as a member of the Harris-Stowe State University Board of Regents, for a term ending July 28, 2018, and until his successor is duly appointed and qualified; vice, Arteveld J. McCoy II, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Joseph G. McCulloch, Democrat, 2013 Willow Trail, Saint Charles, Saint Charles County, Missouri 63303, as a member of the St. Charles County Convention & Sports Facilities Authority, for a term ending April 27, 2017, and until his successor is duly appointed and qualified; vice, Joseph G. McCulloch, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 18, 2013, while the Senate was not in session.

Ryan G. McKenna, 3 Briarwood Lane, Crystal City, Jefferson County, Missouri 63019, as Director of the Department of Labor and Industrial Relations, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

John M. Miles, Democrat, 1801 East 60<sup>th</sup> Terrace, Kansas City, Jackson County, Missouri 64130, as a member of the Jackson County Sports Complex Authority, for a term ending July 15, 2018, and until his successor is duly appointed and qualified; vice, John M. Miles, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Kathie A. Miller, 1011 Specialty Drive, Dexter, Stoddard County, Missouri 63841, as a member of the State Committee for Social Workers, for a term ending October 23, 2016, and until her successor is duly appointed and qualified; vice, Kathie A. Miller, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 6, 2014, while the Senate was not in session.

William Miller, Democrat, 12502 Bielefeld Court, Black Jack, Saint Louis County, Missouri 63033, as a member of the Missouri Housing Development Commission, for a term ending October 13, 2017, and until his successor is duly appointed and qualified; vice, David B. Cosgrove, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Larry B. Newcomb, 300 Chestnut Avenue, Webster Groves, Saint Louis County, Missouri 63119, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until his successor is duly appointed and qualified; vice, Larry B. Newcomb, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on

December 6, 2013, while the Senate was not in session.

Donna L. Newman, 4122 Mercier, Kansas City, Jackson County, Missouri 64111, as a member of the Advisory Commission for Physical Therapists, for a term ending October 1, 2015, and until her successor is duly appointed and qualified; vice, Donna L. Newman, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Judith Grace O'Connor, Democrat, 3321 Steeple Hill, Saint Charles, Saint Charles County, Missouri 63301, as a member of the Missouri Health Facilities Review Committee, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, Judith Grace O'Connor, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Jill L. Patterson, 1741 East Briar Street, Springfield, Greene County, Missouri 65804, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2015, and until her successor is duly appointed and qualified; vice, Jill L. Patterson, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Joseph E. Pierle, 1224 Rosner Hills Road, Jefferson City, Cole County, Missouri 65109, as a member of the Missouri Electronic Prior Authorization Committee, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified; vice, Joseph E. Pierle, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

J. Michael Ponder, Democrat, 3041 Keystone, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2019, and until his successor is duly appointed and qualified; vice, J. Michael Ponder, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 18, 2013, while the Senate was not in session.

Nia V. Ray, 5511A Deer Valley Drive, Jefferson City, Cole County, Missouri 65109, as Director of the Division of Employment Security, for a term ending at the pleasure of the Governor, and until her successor is duly appointed and qualified.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Steven E. Renne, 1809 Blueridge Road, Columbia, Boone County, Missouri 65202, as a member of the Missouri Electronic Prior Authorization Committee, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified; vice, Steven E. Renne, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,



GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Gary Rogles, 10735 Gail Court, Saint Louis, Saint Louis County, Missouri 63123, as a member of the Board of Boiler and Pressure Vessel Rules, for a term ending September 28, 2014, and until his successor is duly appointed and qualified; vice, Gary Rogles, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Sam P. Schaumann, Independent, 638 Lotus Road, Billings, Christian County, Missouri 65610, as a member of the State Soil and Water Districts Commission, for a term ending August 15, 2014, and until his successor is duly appointed and qualified; vice, Sam P. Schaumann, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Bryan T. Scott, Democrat, 4349 Washington Boulevard, St. Louis City, Missouri 63108, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2017, and until his successor is duly appointed and qualified; vice, Bryan T. Scott, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

James Kendall Seal, Democrat, 7845 Northwest Roanridge Drive, Apartment F, Kansas City, Platte County, Missouri 64151, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2019, and until his successor is duly appointed and qualified; vice, James Kendall Seal, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Craig W. Smith, Independent, 806 Legends View Drive, Eureka, Saint Louis County, Missouri 63025, as a member of the State Committee of Marital and Family Therapists, for a term ending January 26, 2016, and until his successor is duly appointed and qualified; vice, Craig W. Smith, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Gregg C. Smith, Democrat, 1900 Countryside Drive, Clinton, Henry County, Missouri 64735, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2019, and until his successor is duly appointed and qualified; vice, Gregg C. Smith, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Sharon E. Sorrell, 2734 Barron Road, Poplar Bluff, Butler County, Missouri 63901, as a member of the State Committee for Social Workers, for a term ending October 23, 2015, and until her successor is duly appointed and qualified; vice,

Sharon E. Sorrell, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Renee Stucky, 3441 South Hidden Hills Lane, Columbia, Boone County, Missouri 65203, as a member of the State Committee of Psychologists, for a term ending August 28, 2017, and until her successor is duly appointed and qualified; vice, Renee Stuckey, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

John Szturo, 15001 East 44<sup>th</sup> Street South, Independence, Jackson County, Missouri 64055, as a member of the Board of Geologist Registration, for a term ending April 11, 2016, and until his successor is duly appointed and qualified; vice, John Szturo, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Jennifer Vernon, 9227 Southwest Josh Ridge Road, Trimble, Clinton County, Missouri 64492, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2014, and until her successor is duly appointed and qualified; vice, Jennifer Vernon, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Timothy J. Viox, Independent, 5202 Thornbrook Parkway, Columbia, Boone County, Missouri 65203, as a member of the Amusement Ride Safety Board, for a term ending April 17, 2016, and until his successor is duly appointed and qualified; vice, Timothy J. Viox, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Sandra Wedewer, 2924 Isle View Lane, Saint Charles, Saint Charles County, Missouri 63303, as a member of the Missouri State Board of Accountancy, for a term ending July 1, 2018, and until her successor is duly appointed and qualified; vice, Sandra Wedewer, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Alan H. Wells, 1415 Highway H, Farmington, Saint Francois County, Missouri 63640, as a member of the Advisory Committee for 911 Service Oversight, for a term ending April 9, 2016, and until his successor is duly appointed and qualified; vice, Alan H. Wells, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 7, 2014, while the Senate was not in session.

Alan Wells, Democrat, 1415 Highway H, Farmington, Saint Francois County, Missouri 63640, as a member of the Public Defender Commission, for a term ending January 6, 2020, and until his successor is duly appointed and qualified; vice, Muriel A. Brison, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Deborah White, 4411 South East Highway 116, Dearborn, Buchanan County, Missouri 64439, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2015, and until her successor is duly appointed and qualified; vice, Deborah White, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 6, 2014, while the Senate was not in session.

Paul Williams, 2263 East Spring Hill Road, Springfield, Greene County, Missouri 65804, as a member of the Crime Laboratory Review Commission, for a term ending April 1, 2015, and until his successor is duly appointed and qualified; vice, Jeffrey Nichols, resigned.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

April S. Wilson, 1005 East Northtown Road, Kirksville, Adair County, Missouri 63501, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, April S. Wilson, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY, MO  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 6, 2013, while the Senate was not in session.

Vincil M. Wilt, Democrat, 225 Rock Road, Paris, Monroe County, Missouri 65275, as a member of the Missouri Veterinary Medical Board, for a term ending August 29, 2014, and until his successor is duly appointed and qualified; vice, Vincil M. Wilt, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Dempsey referred the above appointments to the Committee on Gubernatorial Appointments.

### **FIRST READING OF PRE-FILED SENATE BILLS**

As provided by Chapter 21, RSMo, Sections 21.600, 21.605, 21.615 and 21.620, the following pre-filed Bills and/or Joint Resolutions were introduced and read for the first time:

**SB 485**—By Rupp.

An Act to repeal sections 160.400, 167.121, 167.131, 167.241, and 171.031, RSMo, and to enact in lieu thereof eight new sections relating to elementary and secondary education, with an emergency clause.

**SB 486**—By Rupp.

An Act to repeal section 130.011 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.011 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, section 130.021 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.021 as enacted by senate bill no. 485, ninety-fifth general assembly, first regular session, section 130.031 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.031 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, section 130.044 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.044 as enacted by senate bill no. 1038, ninety-fourth general assembly, second regular session, section 130.046 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.046 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, RSMo, and to enact in lieu thereof six new sections relating to campaign finance.

**SB 487**—By Rupp.

An Act to repeal section 130.011 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.011 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, section 130.021 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.021 as enacted by senate bill no. 485, ninety-fifth general assembly, first regular session, section 130.031 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.031 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, section 130.044 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.044 as enacted by senate bill no. 1038, ninety-fourth general assembly, second regular session, section 130.046 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.046 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, RSMo, and to enact in lieu thereof six new sections relating to campaign finance, with a referendum clause.

**SB 488**—By Lager.

An Act to repeal section 105.450, RSMo, and to enact in lieu thereof two new sections relating to prohibited acts by members of the general assembly.

**SB 489**—By Lager.

An Act to amend chapter 477, RSMo, by adding thereto one new section relating to judge disqualification.

**SB 490**—By Lager and Kehoe.

An Act to amend chapter 285, RSMo, by adding thereto one new section relating to unlawful employment practices.

**SB 491**—By Justus and Dixon.

An Act to repeal sections 32.057, 50.535, 57.100, 105.478, 115.631, 142.909, 142.911, 143.1001, 143.1003, 149.200, 168.071, 188.030, 190.621, 191.905, 191.914, 193.315, 194.410, 194.425, 195.005, 195.010, 195.015, 195.016, 195.017, 195.025, 195.030, 195.040, 195.050, 195.060, 195.080, 195.100, 195.110, 195.130, 195.135, 195.140, 195.150, 195.180, 195.190, 195.195, 195.198, 195.202, 195.204, 195.211, 195.212, 195.213, 195.214, 195.217, 195.218, 195.219, 195.222, 195.223, 195.226, 195.233, 195.235, 195.241, 195.242, 195.246, 195.248, 195.252, 195.254, 195.256, 195.275, 195.280, 195.285, 195.291, 195.292, 195.295, 195.296, 195.367, 195.369, 195.371, 195.375, 195.417, 195.418, 195.420, 195.501, 195.503, 195.505, 195.507, 195.509, 195.511, 195.515, 196.979, 197.266, 197.326, 198.015, 198.070, 198.097, 198.158, 205.965, 210.117, 210.165, 211.038, 214.410, 217.360, 217.385, 217.400, 217.405, 217.542, 217.543, 217.692, 217.703, 221.025, 221.111, 221.353, 252.235, 253.080, 260.207, 260.208, 260.211, 260.212, 270.260, 276.421, 276.536, 277.180, 285.306, 285.308, 287.128, 287.129,

288.250, 288.395, 301.390, 301.400, 301.401, 301.559, 301.640, 302.015, 302.020, 302.321, 302.500, 302.540, 302.541, 302.605, 302.705, 302.710, 302.727, 302.745, 302.750, 302.755, 302.780, 303.024, 303.025, 304.070, 306.110, 306.111, 306.112, 306.114, 306.116, 306.117, 306.118, 306.119, 306.141, 306.420, 311.325, 313.004, 313.040, 313.290, 313.550, 313.660, 313.830, 317.018, 320.089, 320.161, 324.1142, 324.1148, 334.250, 335.096, 338.195, 338.315, 338.370, 354.320, 362.170, 367.031, 367.045, 374.210, 374.216, 374.702, 374.757, 374.789, 375.310, 375.537, 375.720, 375.786, 375.991, 375.1176, 375.1287, 380.391, 382.275, 389.653, 407.020, 407.095, 407.420, 407.436, 407.516, 407.521, 407.536, 407.544, 407.740, 407.1082, 407.1252, 411.260, 411.287, 411.371, 411.517, 411.770, 413.229, 429.012, 429.013, 429.014, 436.485, 443.810, 443.819, 453.110, 455.085, 455.538, 542.402, 544.665, 556.011, 556.016, 556.021, 556.022, 556.026, 556.036, 556.041, 556.046, 556.051, 556.056, 556.061, 556.063, 557.016, 557.021, 557.026, 557.031, 557.035, 557.036, 557.041, 557.046, 558.011, 558.016, 558.018, 558.019, 558.031, 558.041, 558.046, 559.012, 559.021, 559.036, 559.100, 559.106, 559.107, 559.110, 559.115, 559.120, 559.125, 559.600, 559.604, 559.633, 560.011, 560.016, 560.021, 560.026, 560.031, 560.036, 561.016, 561.021, 561.026, 562.011, 562.016, 562.031, 562.036, 562.041, 562.051, 562.056, 562.061, 562.066, 562.071, 562.076, 562.086, 563.021, 563.026, 563.033, 563.046, 563.051, 563.056, 563.061, 563.070, 564.011, 564.016, 565.002, 565.004, 565.020, 565.021, 565.023, 565.024, 565.025, 565.030, 565.032, 565.035, 565.040, 565.050, 565.060, 565.063, 565.065, 565.070, 565.072, 565.073, 565.074, 565.075, 565.080, 565.081, 565.082, 565.083, 565.084, 565.085, 565.086, 565.090, 565.092, 565.095, 565.100, 565.110, 565.115, 565.120, 565.130, 565.140, 565.149, 565.150, 565.153, 565.156, 565.160, 565.163, 565.165, 565.169, 565.180, 565.182, 565.184, 565.186, 565.188, 565.190, 565.200, 565.210, 565.212, 565.214, 565.216, 565.218, 565.220, 565.225, 565.250, 565.252, 565.253, 565.255, 565.300, 565.350, 566.010, 566.013, 566.020, 566.023, 566.025, 566.030, 566.031, 566.032, 566.034, 566.060, 566.061, 566.062, 566.064, 566.067, 566.068, 566.083, 566.086, 566.093, 566.100, 566.101, 566.111, 566.135, 566.140, 566.141, 566.145, 566.147, 566.148, 566.149, 566.150, 566.151, 566.153, 566.155, 566.203, 566.206, 566.209, 566.212, 566.213, 566.215, 566.218, 566.221, 566.224, 566.226, 566.265, 567.010, 567.020, 567.030, 567.040, 567.050, 567.060, 567.070, 567.080, 567.085, 567.087, 567.110, 567.120, 568.010, 568.020, 568.030, 568.032, 568.040, 568.045, 568.050, 568.052, 568.060, 568.065, 568.070, 568.080, 568.090, 568.100, 568.110, 568.120, 568.175, 569.010, 569.020, 569.025, 569.030, 569.035, 569.040, 569.050, 569.055, 569.060, 569.065, 569.067, 569.070, 569.072, 569.080, 569.090, 569.094, 569.095, 569.097, 569.099, 569.100, 569.120, 569.130, 569.140, 569.145, 569.150, 569.155, 569.160, 569.170, 569.180, 570.010, 570.020, 570.030, 570.033, 570.040, 570.050, 570.055, 570.070, 570.080, 570.085, 570.087, 570.090, 570.100, 570.103, 570.110, 570.120, 570.123, 570.125, 570.130, 570.135, 570.140, 570.145, 570.150, 570.155, 570.160, 570.170, 570.180, 570.190, 570.200, 570.210, 570.215, 570.217, 570.219, 570.220, 570.222, 570.223, 570.224, 570.225, 570.226, 570.230, 570.235, 570.240, 570.241, 570.245, 570.255, 570.300, 570.310, 570.380, 571.010, 571.014, 571.015, 571.017, 571.020, 571.030, 571.037, 571.045, 571.050, 571.060, 571.063, 571.067, 571.070, 571.072, 571.080, 571.085, 571.087, 571.093, 571.095, 571.101, 571.104, 571.107, 571.111, 571.114, 571.117, 571.121, 571.126, 571.150, 571.500, 572.010, 572.020, 572.030, 572.040, 572.050, 572.060, 572.070, 572.110, 572.120, 573.010, 573.013, 573.020, 573.023, 573.025, 573.030, 573.035, 573.037, 573.040, 573.050, 573.052, 573.060, 573.065, 573.090, 573.100, 573.500, 573.509, 573.528, 573.531, 574.010, 574.020, 574.030, 574.040, 574.050, 574.060, 574.070, 574.075, 574.085, 574.105, 574.115, 575.020, 575.021, 575.030, 575.040, 575.050, 575.060, 575.070, 575.080, 575.090, 575.100, 575.110, 575.120, 575.130, 575.145, 575.150, 575.153, 575.159, 575.160, 575.170, 575.180, 575.190, 575.195, 575.200, 575.205, 575.206, 575.210, 575.220, 575.230, 575.240, 575.250, 575.260, 575.270, 575.280, 575.290,



575.300, 575.310, 575.320, 575.350, 575.353, 576.010, 576.020, 576.030, 576.040, 576.050, 576.060, 576.070, 576.080, 577.001, 577.005, 577.006, 577.010, 577.012, 577.017, 577.020, 577.021, 577.023, 577.026, 577.029, 577.031, 577.037, 577.039, 577.049, 577.051, 577.052, 577.054, 577.060, 577.065, 577.068, 577.070, 577.071, 577.073, 577.075, 577.076, 577.080, 577.090, 577.100, 577.105, 577.110, 577.150, 577.155, 577.160, 577.161, 577.201, 577.203, 577.206, 577.208, 577.211, 577.214, 577.217, 577.221, 577.500, 577.505, 577.510, 577.515, 577.520, 577.525, 577.530, 577.600, 577.602, 577.604, 577.606, 577.608, 577.610, 577.612, 577.614, 577.625, 577.628, 577.675, 577.680, 578.008, 578.009, 578.012, 578.018, 578.021, 578.023, 578.024, 578.025, 578.027, 578.028, 578.029, 578.030, 578.050, 578.075, 578.095, 578.100, 578.105, 578.106, 578.110, 578.120, 578.150, 578.151, 578.152, 578.153, 578.154, 578.173, 578.176, 578.200, 578.205, 578.210, 578.215, 578.220, 578.225, 578.250, 578.255, 578.260, 578.265, 578.300, 578.305, 578.310, 578.315, 578.320, 578.325, 578.330, 578.350, 578.353, 578.360, 578.363, 578.365, 578.375, 578.377, 578.379, 578.381, 578.383, 578.385, 578.387, 578.389, 578.390, 578.392, 578.405, 578.407, 578.409, 578.412, 578.414, 578.416, 578.418, 578.420, 578.421, 578.425, 578.430, 578.433, 578.437, 578.445, 578.450, 578.500, 578.502, 578.503, 578.510, 578.520, 578.525, 578.530, 578.570, 578.614, 589.425, 610.125, 630.155, 630.165, 660.250, 660.255, 660.260, 660.261, 660.263, 660.265, 660.270, 660.275, 660.280, 660.285, 660.290, 660.295, 660.300, 660.305, 660.310, 660.315, 660.317, 660.320, 660.321, and 701.320, RSMo, section 130.028 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.028 as enacted by conference committee substitute for house committee substitute for senate bill no. 650, eighty-ninth general assembly, second regular session, section 130.031 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 302.060 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session, section 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402 merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, section 302.304 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session, section 302.304 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, section 476.055 as enacted by senate committee substitute for house bill no. 1460 merged with conference committee substitute for house committee substitute for senate bill no. 628, ninety-sixth general assembly, second regular session, section 476.055 as enacted by conference committee substitute for house committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, section 577.041 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session, and section 577.041 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill nos. 1695, 1742 & 1672, ninety-fifth general assembly, second regular session, and to enact in lieu thereof seven hundred fifteen new sections for the sole purpose of restructuring the Missouri criminal code, with penalty provisions and an effective date.

**SB 492—By Pearce.**

An Act to amend chapter 163, RSMo, by adding thereto one new section relating to state funding

for public institutions of higher education.

**SB 493**—By Pearce.

An Act to repeal sections 162.081, 167.131, and 167.241, RSMo, and to enact in lieu thereof six new sections relating to elementary and secondary education, with an emergency clause.

**SB 494**—By Pearce.

An Act to repeal section 160.254, RSMo, and to enact in lieu thereof one new section relating to higher education.

**SB 495**—By Schmitt.

An Act to repeal sections 160.400, 167.121, 167.131, 167.241, and 171.031, RSMo, and to enact in lieu thereof eight new sections relating to elementary and secondary education, with an emergency clause.

**SB 496**—By Schmitt.

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to a deduction for business income.

**SB 497**—By Schmitt.

An Act to repeal section 143.011 and 143.021, RSMo, and to enact in lieu thereof two new sections relating to income taxes.

**SB 498**—By Schaefer.

An Act to repeal section 376.2004, RSMo, and to enact in lieu thereof two new sections relating to health benefit exchange navigators.

**SB 499**—By Keaveny.

An Act to repeal section 456.950, RSMo, and to enact in lieu thereof one new section relating to qualified spousal trusts.

**SB 500**—By Keaveny.

An Act to amend chapters 456 and 474, RSMo, by adding thereto two new sections relating to no-contest clauses.

**SB 501**—By Keaveny.

An Act to amend chapter 456, RSMo, by adding thereto one new section relating to the confidentiality between a trustee and an attorney.

**SB 502**—By Schaaf.

An Act to repeal sections 191.918 and 494.430, RSMo, and to enact in lieu thereof two new sections relating to breast-feeding.

**SB 503**—By Schaaf.

An Act to repeal section 302.020, RSMo, and to enact in lieu thereof one new section relating to protective headgear for operation of enclosed three wheel vehicles, with existing penalty provisions.

**SB 504**—By Munzlinger.

An Act to repeal section 536.016, RSMo, and to enact in lieu thereof one new section relating to the

availability of proposed rules on the internet.

**SB 505**—By Munzlinger.

An Act to repeal section 313.835, RSMo, and to enact in lieu thereof one new section relating to the distribution of funds from the gaming commission fund.

**SB 506**—By Munzlinger.

An Act to repeal section 277.040, RSMo, and to enact in lieu thereof one new section relating to agriculture.

**SB 507**—By Dixon.

An Act to repeal sections 21.110, 28.060, 28.190, 29.280, 30.060, 30.070, 32.010, 37.010, 105.050, 192.007, 217.035, 261.010, 286.005, 287.610, 374.020, 374.080, 620.010, 640.010, 650.005, and 660.010, RSMo, and to enact in lieu thereof twenty-two new sections relating to vacancies in certain public offices, with a referendum clause and a contingent effective date.

**SB 508**—By Parson.

An Act to repeal section 376.2004, RSMo, and to enact in lieu thereof one new section relating to health exchange navigator licensing, with a penalty provision.

**SB 509**—By Kraus.

An Act to repeal sections 143.011, 143.021, 143.071, and 143.151, RSMo, and to enact in lieu thereof five new sections relating to income taxes.

**SB 510**—By Kraus.

An Act to repeal sections 288.030 and 288.050, RSMo, and to enact in lieu thereof two new sections relating to disqualification from unemployment benefits.

**SB 511**—By Kraus.

An Act to repeal sections 115.427 and 115.430, RSMo, and to enact in lieu thereof two new sections relating to voter photo identification, with a contingent effective date.

**SB 512**—By Lamping.

An Act to repeal sections 105.450, 105.463, 105.470, 105.477, 105.483, 105.487, and 105.494, RSMo, section 105.473 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.473 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, section 105.485 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.485 as enacted by senate substitute for senate committee substitute for house bill no. 2058, ninety-fourth general assembly, second regular session, section 130.031 as enacted by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.031 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, section 130.041 as truly agreed to and finally passed by conference committee

substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 130.041 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, and to enact in lieu thereof fifteen new sections relating to ethics.

**SB 513**—By Lamping.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to an income tax credit for dependent children.

**SB 514**—By Lamping, Nieves, Emery and Schaaf.

An Act to amend chapter 161, RSMo, by adding thereto one new section relating to the common core state standards initiative.

**SB 515**—By Chappelle-Nadal.

An Act to repeal section 161.112, RSMo, and to enact in lieu thereof one new section relating to the commissioner of education, with a contingent effective date.

**SB 516**—By Chappelle-Nadal and Nasheed.

An Act to repeal sections 160.400, 162.081, 162.083, 162.1300, 163.021, 163.036, 167.131, 168.410, and 171.031, RSMo, and to enact in lieu thereof thirty-one new sections relating to elementary and secondary education.

**SB 517**—By Chappelle-Nadal.

An Act to repeal section 160.400, RSMo, and to enact in lieu thereof one new section relating to charter school sponsors.

**SB 518**—By Sater.

An Act to repeal section 208.166, RSMo, and to enact in lieu thereof one new section relating to MO HealthNet managed care services.

**SB 519**—By Sater.

An Act to repeal sections 188.027 and 188.039, RSMo, and to enact in lieu thereof two new sections relating to the required waiting period before having an abortion.

**SB 520**—By Sater.

An Act to repeal section 105.271, RSMo, and to enact in lieu thereof one new section relating to leave for public employees.

**SB 521**—By Emery.

An Act to repeal sections 168.104, 168.110, 168.124, 168.128, 168.221, and 168.410, RSMo, and to enact in lieu thereof eight new sections relating to elementary and secondary education.

**SB 522**—By Emery and Nieves.

An Act to repeal section 162.1250, RSMo, and to enact in lieu thereof one new section relating to virtual schools.

**SB 523**—By Emery.

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to the use of radio

frequency identification technology in school districts.

**SB 524**—By Cunningham.

An Act to repeal section 67.150, RSMo, and to enact in lieu thereof one new section relating to benefits for elected county officials.

**SB 525**—By Cunningham.

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to the preparation of food for a charitable purpose.

**SB 526**—By Cunningham.

An Act to amend chapter 287, RSMo, by adding thereto one new section relating to a database for workers' compensation claims, with a penalty provision.

**SB 527**—By Wallingford.

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of medical radiation safety awareness day.

**SB 528**—By Wallingford.

An Act to repeal section 324.024, RSMo, and to enact in lieu thereof one new section relating to professional applications containing Social Security numbers.

**SB 529**—By Wallingford.

An Act to repeal sections 34.057 and 107.170, RSMo, and to enact in lieu thereof two new sections relating to the payment of public works projects.

**SB 530**—By Libla.

An Act to repeal section 211.447, RSMo, and to enact in lieu thereof one new section relating to termination of parental rights.

**SB 531**—By Nasheed.

An Act to repeal sections 290.502, 290.512, and 290.527, RSMo, and to enact in lieu thereof three new sections relating to the minimum wage, with a referendum clause.

**SB 532**—By Nasheed.

An Act to repeal sections 431.058 and 431.061, RSMo, and to enact in lieu thereof two new sections relating to medical and educational consent laws.

**SB 533**—By Nasheed.

An Act to amend chapter 196.1150, RSMo, by adding thereto one new section relating to the labeling of genetically modified food, with a penalty provision.

**SB 534**—By Sifton.

An Act to repeal sections 160.400, 167.121, 167.131, 167.241, and 171.031, RSMo, and to enact in lieu thereof eight new sections relating to elementary and secondary education, with an emergency clause.

**SB 535**—By Sifton.

An Act to repeal section 167.241, RSMo, and to enact in lieu thereof one new section relating to

student transportation.

**SB 536**—By Sifton.

An Act to repeal section 105.456 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.456 as enacted by house bill no. 1120, ninety-first general assembly, second regular session, section 105.473 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof two new sections relating to banning lobbyist gifts.

**SB 537**—By Rupp.

An Act to repeal sections 382.010, 382.020, 382.040, 382.050, 382.060, 382.080, 382.095, 382.110, 382.170, 382.180, 382.190, 382.195, 382.220, and 382.230, RSMo, and to enact in lieu thereof seventeen new sections relating to regulating the business of insurance, with penalty provisions.

**SB 538**—By Keaveny and Holsman.

An Act to amend chapter 163, RSMo, by adding thereto one new section relating to early childhood education.

**SB 539**—By Keaveny and Holsman.

An Act to amend chapter 163, RSMo, by adding thereto one new section relating to early childhood education.

**SB 540**—By Keaveny.

An Act to repeal section 307.178, RSMo, and to enact in lieu thereof one new section relating to seat belts, with penalty provisions.

**SB 541**—By Munzlinger.

An Act to repeal sections 135.010 and 135.035, RSMo, and to enact in lieu thereof two new sections relating to a property tax credit.

**SB 542**—By Munzlinger.

An Act to amend chapter 436, RSMo, by adding thereto nine new sections relating to nonrecourse consumer legal lending, with penalty provisions.

**SB 543**—By Munzlinger.

An Act to repeal section 137.021, RSMo, and to enact in lieu thereof one new section relating to agricultural land values.

**SB 544**—By Lamping.

An Act to repeal section 144.700, RSMo, and to enact in lieu thereof one new section relating to the use of sales and use tax revenues for transportation.

**SB 545**—By Lamping.

An Act to repeal sections 160.400, 167.121, 167.131, 167.241, and 171.031, RSMo, and to enact

in lieu thereof eight new sections relating to elementary and secondary education, with an emergency clause.

**SB 546**—By Lamping, Brown and Schaaf.

An Act to repeal section 1.330, RSMo, and to enact in lieu thereof two new sections relating to prohibiting governments from compelling individuals to purchase health insurance and participate in health care systems.

**SB 547**—By Chappelle-Nadal.

An Act to repeal section 163.036, RSMo, and to enact in lieu thereof one new section relating to the calculation of weighted average daily attendance.

**SB 548**—By Chappelle-Nadal.

An Act to amend chapter 571, RSMo, by adding thereto three new sections relating to firearms, with penalty provisions.

**SB 549**—By Chappelle-Nadal.

An Act to amend chapter 571, RSMo, by adding thereto three new sections relating to weapons, with penalty provisions.

**SB 550**—By Sater.

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to retirement benefit forfeiture.

**SB 551**—By Sater.

An Act to amend chapter 566, RSMo, by adding thereto one new section relating to the offense of unlawful internet communication with a minor, with penalty provisions.

**SB 552**—By Sater.

An Act to repeal sections 452.075 and 452.370, RSMo, and to enact in lieu thereof two new sections relating to alimony and maintenance.

**SB 553**—By Emery.

An Act to repeal sections 208.909 and 660.023, RSMo, and to enact in lieu thereof two new sections relating to the requirement of a telephone tracking system for certain home and community-based providers.

**SB 554**—By Cunningham.

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to holidays.

**SB 555**—By Nasheed.

An Act to repeal section 105.456 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.456 as enacted by house bill no. 1120, ninety-first general assembly, second regular session, section 105.473 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof three new sections relating to ethics.

**SB 556**—By Nasheed.

An Act to repeal section 610.140, RSMo, and to enact in lieu thereof four new sections relating to public safety, with penalty provisions.

**SB 557**—By Nasheed.

An Act to repeal sections 67.1421, 67.1461, 67.1531, and 67.1541, RSMo, and to enact in lieu thereof four new sections relating to community improvement districts.

**SB 558**—By Sifton.

An Act to repeal section 137.106, RSMo, and to enact in lieu thereof one new section relating to the Missouri homestead preservation act.

**SB 559**—By Sifton.

An Act to repeal section 376.1210, RSMo, and to enact in lieu thereof one new section relating to maternity health insurance coverage.

**SB 560**—By Sifton.

An Act to repeal section 160.775, RSMo, and to enact in lieu thereof one new section relating to school antibullying policies.

**SB 561**—By Munzlinger.

An Act to repeal sections 320.106 and 320.111, RSMo, and to enact in lieu thereof two new sections relating to hobby firework manufacturing, with an existing penalty provision.

**SB 562**—By Chappelle-Nadal.

An Act to amend chapter 170, RSMo, by adding thereto four new sections relating to violence prevention education in elementary and secondary schools.

**SB 563**—By Chappelle-Nadal.

An Act to amend chapter 292, RSMo, by adding thereto one new section relating to workplace violence, with a penalty provision.

**SB 564**—By Chappelle-Nadal.

An Act to amend chapter 198, RSMo, by adding thereto one new section relating to long-term care facilities.

**SB 565**—By Nasheed.

An Act to amend chapter 319, RSMo, by adding thereto one new section relating to reporting requirements for lost or stolen firearms, with a penalty provision.

**SB 566**—By Sifton.

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to the reporting of data and scores of neglected children and delinquent children.

**SB 567**—By Chappelle-Nadal.

An Act to repeal sections 660.411 and 660.414, RSMo, and to enact in lieu thereof three new



sections relating to adult day care programs.

**SB 568**—By Chappelle-Nadal.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to workforce development.

**SB 569**—By Chappelle-Nadal.

An Act to amend chapter 324, RSMo, by adding thereto sixteen new sections relating to the licensing of clinical laboratory science personnel, with penalty provisions.

**SB 570**—By Chappelle-Nadal.

An Act to repeal sections 43.032, 67.307, 208.009, 285.309, 285.500, 285.503, 285.506, 285.512, 285.515, 285.525, 285.530, 285.535, 285.540, 285.543, 285.550, 285.555, 302.063, 302.720, 544.470, 577.675, 577.680, 578.570, and 650.475, RSMo, and to enact in lieu thereof two new sections relating to unauthorized and unlawfully present aliens.

**SB 571**—By Chappelle-Nadal.

An Act to repeal sections 260.1050, 260.1053, 260.1059, 260.1062, 260.1065, 260.1068, 260.1071, 260.1074, 260.1077, 260.1080, 260.1083, 260.1089, 260.1092, and 260.1101, RSMo, and to enact in lieu thereof twenty-one new sections relating to the residential electronic products recycling and reuse act, with penalty provisions.

**SB 572**—By Chappelle-Nadal.

An Act to repeal sections 191.765, 191.767, 191.769, 191.771, 191.775, and 191.776, RSMo, and to enact in lieu thereof six new sections relating to the Missouri indoor clean air act.

**SB 573**—By Munzlinger.

An Act to repeal section 231.444, RSMo, and to enact in lieu thereof one new section relating to the special road rock fund.

**SB 574**—By Munzlinger.

An Act to repeal section 135.710, RSMo, and to enact in lieu thereof one new section relating to an alternative fuel tax credit.

**SB 575**—By Dixon.

An Act to repeal sections 21.800, 21.830, 21.910, 33.150, 301.129, 361.120, 386.145, 620.602, and 630.461, RSMo, and to enact in lieu thereof three new sections relating to the existence of certain committees.

**SB 576**—Withdrawn.

**SB 577**—By Kraus.

An Act to repeal sections 135.155, 135.313, 135.350, 135.352, 135.484, 135.535, 135.679, 135.700, 135.750, 135.967, 137.1018, 253.550, 253.557, 253.559, 348.430, 348.432, 348.505, 447.708, and 620.1910, RSMo, and to enact in lieu thereof eighteen new sections relating to tax credits.

**SB 578**—By Kraus.

An Act to repeal section 115.607, RSMo, and to enact in lieu thereof one new section relating to county political party committees.

**SB 579**—By Holsman.

An Act to amend chapter 442, RSMo, by adding thereto one new section relating to the use of solar energy systems in certain planned communities.

**SB 580**—By Kraus.

An Act to repeal sections 115.124 and 115.395, RSMo, and to enact in lieu thereof two new sections relating to the process for establishing candidate names on ballots, with an emergency clause.

**SB 581**—By Rupp.

An Act to amend chapter 249, RSMo, by adding thereto one new section relating to the authority of certain sewer districts to request voter approval of a fee for the repair of lateral sewer service lines.

**SB 582**—By Rupp.

An Act to repeal section 208.010, RSMo, and to enact in lieu thereof one new section relating to the amount of assets an applicant is allowed to have to qualify for MO HealthNet benefits.

**SB 583**—By Dixon.

An Act to amend chapter 538, RSMo, by adding thereto one new section relating to the evidentiary standard for proving noneconomic damages in medical malpractice cases.

**SB 584**—By Dixon.

An Act to repeal sections 144.010, 144.018, and 144.020, RSMo, and to enact in lieu thereof three new sections relating to sales tax on places of amusement, entertainment, recreation, games, and athletic events.

**SB 585**—By Dixon.

An Act to repeal section 510.265, RSMo, and to enact in lieu thereof one new section relating to the awarding of punitive damages.

**SB 586**—By Kraus.

An Act to repeal sections 301.064, 301.120, 301.130, and 301.144, RSMo, and to enact in lieu thereof four new sections relating to the issuance of state license plates.

**SB 587**—By Kraus.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to automated traffic enforcement systems.

**SB 588**—By Kraus.

An Act to repeal section 301.140, RSMo, and to enact in lieu thereof one new section relating to registration of motor vehicles or trailers upon transfer or sale.

**SB 589**—By Brown.

An Act to repeal sections 1.010 and 538.210, RSMo, and to enact in lieu thereof two new sections

relating to a statutory cause of action against healthcare providers.

**SB 590**—By Brown.

An Act to repeal section 315.037, RSMo, and to enact in lieu thereof one new section relating to the inspection of lodging establishments.

**SB 591**—By Sater.

An Act to repeal section 275.352, RSMo, relating to beef commodity merchandising program fees.

**SB 592**—Withdrawn.

**SB 593**—By Sater.

An Act to repeal section 115.124, RSMo, and to enact in lieu thereof one new section relating to nonpartisan elections.

**SB 594**—By Libla.

An Act to repeal section 301.227, RSMo, and to enact in lieu thereof one new section relating to the duty of scrap metal operators to obtain certificates of title for certain inoperable motor vehicles.

**SB 595**—By Walsh.

An Act to repeal sections 160.400, 167.121, 167.131, 167.241, and 171.031, RSMo, and to enact in lieu thereof eight new sections relating to elementary and secondary education, with an emergency clause.

**SB 596**—By Holsman.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to the regulation of autocycles.

**SB 597**—By Holsman.

An Act to repeal section 301.227, RSMo, and to enact in lieu thereof one new section relating to the duty of scrap metal operators to obtain certificates of title for certain inoperable motor vehicles.

**SB 598**—By Holsman.

An Act to repeal sections 393.1025, 393.1030, and 393.1050, RSMo, and to enact in lieu thereof two new sections relating to the renewable energy standard.

**SB 599**—By Kraus.

An Act to amend chapter 43, RSMo, by adding thereto one new section relating to automated license plate reader systems.

**SB 600**—By Sater.

An Act to repeal section 301.3142, RSMo, and to enact in lieu thereof one new section relating to gold star license plates.

**SB 601**—By Holsman.

An Act to repeal section 143.121, RSMo, and to enact in lieu thereof one new section relating to an income tax deduction for energy efficiency projects.

**SB 602**—By Holsman.

An Act to amend chapter 8, RSMo, by adding thereto one new section relating to energy efficiency improvements to certain state buildings.

**SB 603**—By Holsman.

An Act to amend chapters 160 and 590, RSMo, by adding thereto two new sections relating to school protection officers.

**SB 604**—By Holsman.

An Act to amend chapter 302, RSMo, by adding thereto one new section relating to the operation of motorcycles and motortricycles.

**SB 605**—By Dixon.

An Act to repeal sections 30.750, 173.003, 173.051, 173.236, 173.239, 173.254, 173.260, 173.262, 173.778, and 174.770, RSMo, and to enact in lieu thereof ten new sections relating to references to higher education statutes that were previously repealed.

**SB 606**—By Dixon.

An Act to repeal section 379.901, RSMo, relating to prepaid legal service plans.

**SB 607**—By Dixon.

An Act to repeal section 94.579, RSMo, and to enact in lieu thereof one new section relating to a sales tax for public safety.

**SB 608**—By Holsman.

An Act to amend chapter 542, RSMo, by adding thereto two new sections relating to law enforcement agency investigations.

**SB 609**—By Rupp.

An Act to repeal sections 379.011 and 379.012, RSMo, and to enact in lieu thereof two new sections relating to providing certain insurance documents through electronic means.

**SB 610**—By Rupp.

An Act to repeal section 407.725, RSMo, and to enact in lieu thereof one new section relating to commercial exterior contractors.

**SB 611**—By Schaaf.

An Act to repeal sections 430.225, 430.230, and 430.235, RSMo, and to enact in lieu thereof three new sections relating to hospital liens.

**SB 612**—By Schaaf.

An Act to repeal section 143.183, RSMo, and to enact in lieu thereof one new section relating to nonresident entertainer income taxes.

**SB 613**—By Nieves, Richard, Emery, Brown, Wasson, Libla, Romine, Wallingford, Cunningham, Kehoe, Sater, and Lamping.

An Act to repeal sections 1.320, 21.750, 571.030, 571.070, 571.101, 571.107, 571.117, and 590.010, RSMo, and to enact in lieu thereof fifteen new sections relating to firearms, with penalty provisions and a contingent effective date for certain sections.

**SB 614**—By Dixon.

An Act to repeal sections 476.445, 477.081, 477.082, 477.152, 477.160, 477.170, 477.180, 477.181, 477.190, 477.191, 478.430, and 478.433, RSMo, and to enact in lieu thereof three new sections relating to judicial personnel.

**SB 615**—By Dixon.

An Act to repeal sections 476.056 and 488.014, RSMo, section 476.385 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session and section 476.385 as enacted by conference committee substitute for senate substitute for senate committee substitute for house bill no. 683, ninety-fifth general assembly, first regular session, and to enact in lieu thereof three new sections relating to court costs.

**SB 616**—By Nasheed.

An Act to repeal section 167.131, RSMo, and to enact in lieu thereof six new sections relating to school operations, with an emergency clause.

**SB 617**—By Rupp.

An Act repeal sections 379.200 and 537.065, RSMo, and to enact in lieu thereof five new sections relating to the regulation of insurance.

**SB 618**—By Nieves.

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to prohibitions on certain policies that infringe on private property rights.

**SB 619**—By Nieves.

An Act to amend chapter 506, RSMo, by adding thereto one new section relating to the laws of other countries.

**SB 620**—By Nieves.

An Act to repeal sections 8.172 and 8.460, RSMo, and to enact in lieu thereof two new sections relating to the preferential use of the capitol complex by private entities.

**SB 621**—By Dixon.

An Act to repeal sections 476.001, 476.320, 476.330, and 476.340, RSMo, and to enact in lieu thereof four new sections relating to the administration of justice.

**SB 622**—By Nieves.

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to state enforcement of certain federal laws, with penalty provisions.

**SB 623**—By Nieves.

An Act to repeal sections 115.225 and 115.237, RSMo, and to enact in lieu thereof three new sections relating to elections.

**SB 624**—By LeVota.

An Act to repeal section 167.131, RSMo, and to enact in lieu thereof two new sections relating to school accreditation, with an emergency clause.

**SB 625**—By Sater and Munzlinger.

An Act to repeal sections 195.246 and 195.417, RSMo, and to enact in lieu thereof three new sections relating to controlled substances, with penalty provisions.

**SB 626**—By LeVota.

An Act to amend chapter 171, RSMo, by adding thereto one new section relating to year-round educational programs for school districts.

**SB 627**—By LeVota.

An Act to amend chapter 130, RSMo, by adding thereto one new section relating to campaign contribution limits.

**SB 628**—By Schaaf.

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the transfer of property by the governing bodies of certain public institutions of higher education, with an emergency clause.

**SB 629**—By Kraus.

An Act to repeal sections 105.450, 105.463, and 115.646, RSMo, section 105.456 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.456 as enacted by house bill no. 1120, ninety-first general assembly, second regular session, section 105.473 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof eight new sections relating to ethics, with penalty provisions.

**SB 630**—By Wallingford.

An Act to repeal sections 115.124 and 115.395, RSMo, and to enact in lieu thereof two new sections relating to the process for establishing candidate names on ballots, with an emergency clause.

**SB 631**—By Wallingford.

An Act to repeal section 115.135, RSMo, and to enact in lieu thereof one new section relating to military and overseas voter registration.

**SB 632**—By Parson.

An Act to repeal sections 64.170 and 64.205, RSMo, and to enact in lieu thereof one new section relating to county building codes.

**SB 633**—By Parson.

An Act to amend chapters 67 and 144, RSMo, by adding thereto two new sections relating to tax

incentives for data storage centers.

**SB 634**—By Parson.

An Act to repeal sections 381.022 and 381.058, RSMo, and to enact in lieu thereof two new sections relating to title insurance.

**SB 635**—By Silvey and Holsman.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to incentives for interstate business relocation.

**SB 636**—By LeVota.

An Act to repeal section 488.607, RSMo, and to enact in lieu thereof one new section relating to criminal case surcharges for counties or cities with domestic violence shelters.

**SB 637**—By Rupp.

An Act to repeal sections 160.400, 160.405, and 160.417, RSMo, and to enact in lieu thereof three new sections relating to charter schools.

**SB 638**—By Romine.

An Act to repeal section 135.630, RSMo, and to enact in lieu thereof one new section relating to tax credits for contributions to pregnancy resource centers.

**SB 639**—By Brown.

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to mammography reports containing information regarding breast density.

**SB 640**—By Emery.

An Act to amend chapter 455, RSMo, by adding thereto one new section relating to electronic monitoring of persons who have been charged with or found guilty of violating protection orders.

**SB 641**—By Emery.

An Act to repeal section 195.010, RSMo, and to enact in lieu thereof one new section relating to controlled substances.

**SB 642**—By Romine.

An Act to repeal section 444.772, RSMo, and to enact in lieu thereof one new section relating to surface mining.

**SB 643**—By Rupp.

An Act to repeal sections 3.010 and 3.090, RSMo, and to enact in lieu thereof two new sections relating to the publishing of Missouri statutes.

**SB 644**—By LeVota.

An Act to repeal section 23.140, RSMo, and to enact in lieu thereof one new section relating to the preparation of fiscal notes by the oversight division of the committee on legislative research.

**SB 645**—By LeVota.

An Act to repeal section 324.001, RSMo, and to enact in lieu thereof one new section relating to the division of professional registration.

**SB 646**—By LeVota.

An Act to repeal sections 273.325, 273.327, 273.329, 273.331, 273.333, 273.335, 273.338, 273.340, 273.342, 273.344, 273.345, 273.346, 273.347, 273.348, 273.350, 273.352, 273.354, 273.357, and 273.359, RSMo, and to enact in lieu thereof nineteen new sections relating to the licensure of animal care facilities, with existing penalty provisions.

**SB 647**—By Sifton.

An Act to repeal section 135.647, RSMo, and to enact in lieu thereof one new section relating to a tax credit for donations to food pantries.

**SB 648**—By LeVota.

An Act to repeal sections 339.500, 339.501, 339.503, 339.505, 339.507, 339.509, 339.511, 339.513, 339.515, 339.517, 339.519, 339.521, 339.523, 339.525, 339.527, 339.529, 339.530, 339.532, 339.533, 339.535, 339.537, 339.539, 339.541, 339.543, 339.544, 339.545, 339.546, and 339.549, RSMo, and to enact in lieu thereof twenty-nine new sections relating to the real estate appraisers commission, with existing penalty provisions.

**SB 649**—By Lager.

An Act to repeal sections 67.1830, 67.1836, 67.1838, and 67.1842, RSMo, and to enact in lieu thereof four new sections relating to right-of-way of political subdivisions.

**SB 650**—By Lager.

An Act to repeal sections 67.5090, 67.5092, 67.5094, 67.5096, 67.5098, 67.5100, 67.5102, and 67.5103, RSMo, and to enact in lieu thereof eight new sections relating to wireless communications infrastructure deployment.

**SB 651**—By Lager.

An Act to repeal sections 392.415, 392.461, and 392.611, RSMo, and to enact in lieu thereof three new sections relating to communications services.

**SB 652**—By Lager.

An Act to repeal sections 389.585, 389.586, 389.587, 389.588, 389.589, and 389.591, RSMo, and to enact in lieu thereof six new sections relating to utility access to railroad right-of-way.

**SB 653**—By Lager.

An Act to repeal sections 67.1830 and 67.5104, RSMo, and to enact in lieu thereof two new sections relating to municipal utility poles.

**SB 654**—By Keaveny.

An Act to amend chapter 456, RSMo, by adding thereto one new section relating to the mediation of trust provisions.



**SB 655**—By Kraus.

An Act to repeal sections 441.005, 441.500, and 441.770, RSMo, and to enact in lieu thereof three new sections relating to who may lawfully occupy rental property.

**SB 656**—By Kraus.

An Act to repeal section 571.111, RSMo, and to enact in lieu thereof one new section relating to training requirements for a concealed carry permit, with existing penalty provisions.

**SB 657**—By Kraus.

An Act to repeal sections 162.961 and 621.255, RSMo, and to enact in lieu thereof two new sections relating to special education due process hearings.

**SB 658**—By Wallingford.

An Act to amend chapter 188, RSMo, by adding thereto one new section relating to alternatives-to-abortion agencies.

**SB 659**—By Wallingford.

An Act to repeal sections 335.016, 335.019, 335.036, 335.046, 335.056, and 335.086, RSMo, and to enact in lieu thereof six new sections relating to advanced practice registered nursing.

**SB 660**—By Wallingford.

An Act to amend chapter 197, RSMo, by adding thereto one new section relating to public funding for family planning.

**SB 661**—By LeVota.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to MO HealthNet services.

**SB 662**—By Kraus.

An Act to repeal section 144.021, RSMo, and to enact in lieu thereof one new section relating to notice of sales tax modifications.

**SB 663**—By Munzlinger.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to oral chemotherapy parity, with an emergency clause.

**SB 664**—By Brown.

An Act to amend chapter 644, RSMo, by adding thereto one new section relating to water quality standards.

**SB 665**—By LeVota.

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to illegal conduct involving prescription medications, with penalty provisions.

**SJR 25**—By Lager.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section

22(a) of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to noneconomic damage awards in civil cases.

**SJR 26**—By Lager.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 27(a) of article IV of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to the commonsense obligation to provide accountability and spending stabilization act.

**SJR 27**—By Schaaf and Dixon.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 15 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to government access of electronic data.

**SJR 28**—By Munzlinger.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, by adding thereto one new section relating to the right to hunt and fish.

**SJR 29**—By Munzlinger.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 40(a) of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the conservation commission.

**SJR 30**—By Dixon.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 10 and 51 of article IV of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to gubernatorial appointments.

**SJR 31**—By Kraus.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article VIII of the Constitution of Missouri, and adopting one new section relating to voter photo identification.

**SJR 32**—By Chappelle-Nadal.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 2(b) of article IX of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the commissioner of education.

**SJR 33**—By Chappelle-Nadal.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 30(a), 30(b), 31, 32(a), 32(b), 32(c), and 33 of article VI of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the city and county of St. Louis.

**SJR 34**—By Emery.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 2 of article VII of the Constitution of Missouri, and adopting one new section in lieu thereof relating to impeachment trials.

**SJR 35**—By Nasheed.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 8 of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to term limits.

**SJR 36**—By Schaefer and Richard.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 23 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the right of Missouri citizens to keep and bear arms.

**SJR 37**—By Dixon.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 4 of article V of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the appointment of judges to the reapportionment commission.

**SJR 38**—By Nieves.

Joint Resolution submitting to the qualified voters of Missouri, and amendment to article I of the Constitution of Missouri, relating to state sovereignty.

**SJR 39**—By Dixon.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2, 4, 5, 6, 7, 10, and 13 of article III of the Constitution of Missouri, and adopting six new sections in lieu thereof relating to legislative redistricting.

### **INTRODUCTION OF BILLS**

The following Bills and Joint Resolutions were read the 1<sup>st</sup> time and ordered printed:

**SB 666**—By Schmitt.

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to a tax credit for residential real property owners.

**SB 667**—By Schmitt.

An Act to repeal section 105.010, RSMo, and to enact in lieu thereof two new sections relating to gubernatorial appointments.

**SB 668**—By Silvey.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to oral chemotherapy parity, with an emergency clause.

**SB 669**—By Schaaf.

An Act to amend chapter 10, RSMo, by adding thereto one new section relating to the designation of the official state exercise.

**SB 670**—By Sater.

An Act to repeal section 407.300 as enacted by conference committee substitute for senate committee substitute for house bill no. 103 and section 407.300 as enacted by conference committee

substitute for house committee substitute for senate committee substitute for senate bill no. 157 and senate bill no. 102, RSMo, and to enact in lieu thereof one new section relating to scrap metal, with existing penalty provisions.

**SB 671**—By Sater.

An Act to repeal section 537.325, RSMo, and to enact in lieu thereof one new section relating to livestock activities.

**SB 672**—By Parson.

An Act to repeal section 56.363, RSMo, and to enact in lieu thereof one new section relating to county prosecutors.

**SB 673**—By Kehoe and Wallingford.

An Act to repeal sections 288.060 and 288.330, RSMo, and to enact in lieu thereof two new sections relating to employment security.

**SB 674**—By Kehoe.

An Act to repeal section 8.007, RSMo, and to enact in lieu thereof two new sections relating to contracts for the sale of certain items at events held in state-owned buildings.

**SB 675**—By Kehoe.

An Act to amend chapter 70, RSMo, by adding thereto one new section relating to the Missouri local government employees' retirement system.

**SB 676**—By Curls.

An Act to repeal section 534.030, RSMo, and to enact in lieu thereof one new section relating to foreclosure notice to tenants.

**SB 677**—By Curls.

An Act to amend chapter 442, RSMo, by adding thereto twenty-three new sections relating to contracts for deeds.

**SB 678**—By Curls.

An Act to repeal sections 701.300, 701.301, 701.305, 701.309, 701.310, 701.311, 701.312, 701.313, 701.314, 701.316, 701.320, and 701.334, RSMo, and to enact in lieu thereof eleven new sections relating to lead licensing, with penalty provisions.

**SB 679**—By Curls.

An Act to repeal section 452.340, RSMo, and to enact in lieu thereof two new sections relating to child support.

**SB 680**—By Curls.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to eligibility for food stamps.

**SB 681**—By Curls.

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to the duties of the

board of probation and parole.

**SB 682**—By Curls.

An Act to repeal section 211.073, RSMo, and to enact in lieu thereof one new section relating to sentences under dual jurisdiction.

**SB 683**—By Curls.

An Act to amend chapter 565, RSMo, by adding thereto three new sections relating to the creation of the crime of assaulting an employee of a mass transit system while in the scope of his or her duties, with penalty provisions.

**SJR 40**—By Curls.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 3 of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to creation of show-me small business districts.

**SJR 41**—By Curls.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 27(a) of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the budget reserve fund.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 1**.

#### HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-seventh General Assembly, Second Regular Session, inform the Senate that the House is duly convened and is now in session ready for consideration of business.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 2**.

#### HOUSE RESOLUTION NO. 2

BE IT RESOLVED, that a message be sent to the Governor of the State of Missouri to inform His Excellency that the House of Representatives and the Senate of the Ninety-seventh General Assembly, Second Regular Session of the State of Missouri, are now regularly organized and ready for business, and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 1**.

#### HOUSE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED, by the House of Representatives of the Ninety-seventh General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 7:00 p.m., Tuesday, January 21, 2014, to receive a message from His Excellency, the Honorable Jeremiah W. (Jay) Nixon,

Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Ninety-seventh General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 2**.

HOUSE CONCURRENT RESOLUTION NO. 2

BE IT RESOLVED, by the House of Representatives of the Ninety-seventh General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, January 22, 2014, to receive a message from the Honorable Mary R. Russell, Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform Her Honor that the House of Representatives and the Senate of the Ninety-seventh General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that Her Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

In which the concurrence of the Senate is respectfully requested.

**CONCURRENT RESOLUTIONS**

Senator Wallingford offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 17

WHEREAS, the Joint Committee on Solid Waste Management District Operations was established pursuant to Truly Agreed To and Finally Passed Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill 28 during the First Regular Session of the Ninety-seventh General Assembly; and

WHEREAS, Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill 28 established the Joint Committee on Solid Waste Management District Operations to examine solid waste management district operations, including but not limited to efficiency, efficacy, and reasonableness of costs and expenses of such districts to Missouri taxpayers; and

WHEREAS, the Joint Committee on Solid Waste Management District Operations heard testimony from the Department of Natural Resources, the Environmental Improvement and Energy Resources Authority, individuals, business owners, and various interested parties during September and November 2013; and

WHEREAS, after review and consideration of the testimony presented, the Joint Committee on Solid Waste Management District Operations issued a report to the General Assembly at which point it dissolved; and

WHEREAS, the Report of the Joint Committee on Solid Waste Management District Operations made eight recommendations on how to improve the efficiency, efficacy, and reasonableness of costs and expenses of Solid Waste Management Districts to Missouri taxpayers; and

WHEREAS, the Report of the Joint Committee on Solid Waste Management District Operations recommendations can best be accomplished by the continued cooperation among the Joint Committee, the Department of Natural Resources, the Environmental Improvement and Energy Resources Authority, individuals, business owners, and various interested parties:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second

Regular Session, the House of Representatives concurring therein, hereby establish the "Joint Committee on Solid Waste Management District Operations"; and

BE IT FURTHER RESOLVED that the Joint Committee on Solid Waste Management District Operations shall be composed of five members of the Senate, with no more than three members of one party, and five members of the House of Representatives, with no more than three members of one party. The Senate members of the Joint Committee shall be appointed by the President pro tempore of the Senate and the House members by the Speaker of the House of Representatives. The Joint Committee shall select either a chairperson or co-chairpersons, one of whom shall be a member of the Senate and one a member of the House of Representatives. A majority of the members shall constitute a quorum. Meetings of the Joint Committee may be called at such time and place as the chairperson or chairpersons designate; and

BE IT FURTHER RESOLVED that the Joint Committee shall examine solid waste management district operations, including but not limited to the following recommendations of the Joint Committee:

1. Requesting from all Solid Waste Management Districts a detailed list of district operations costs. Using the information from this request, the legislature should consider defining district operations costs;

2. Streamlining the number of audits required for the Solid Waste Management Districts;

3. Streamlining the number of grant administration and application reports required from the Solid Waste Management Districts to the Department of Natural Resources, and fund a grant to make all grant administration and application reports required by the Department of Natural Resources electronic and accessible in an on-line format;

4. Implementing solid waste diversion goals for each district, and then targeting grant funding in specific areas to help meet those goals;

5. Defining what Solid Waste Management Districts can and cannot do to compete with private industry solid waste services;

6. Streamlining the grant application process so that grant applications are all due at the same time every year;

7. Requiring that all grant recipients and all Solid Waste Management District board members sign a conflict of interest statement;

8. Establishing a new committee composed of two members from the House of Representatives, one Democrat and one Republican, two members of the Senate, one Democrat and one Republican, the Solid Waste Management District chair from every Solid Waste Management District or his or her designee, one administrative employee from every Solid Waste Management District, representatives from the Department of Natural Resources, and representatives from the Environmental Improvement and Energy Resources Authority that meets once annually to facilitate good communication; and

BE IT FURTHER RESOLVED that the Joint Committee may hold hearings as it deems advisable and may obtain any input or information necessary to fulfill its obligations. The Joint Committee may make reasonable requests for staff assistance from the research and appropriations staffs of the House and Senate and the Committee on Legislative Research, as well as the Department of Natural Resources and representatives of solid waste management districts; and

BE IT FURTHER RESOLVED that the Joint Committee shall prepare a final report, together with its recommendations for any legislative action deemed necessary, for submission to the general assembly by December 31, 2014, at which time the Joint Committee shall be dissolved; and

BE IT FURTHER RESOLVED that members of the Joint Committee and any staff personnel assigned to the Joint Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Joint Committee; and

BE IT FURTHER RESOLVED that the actual expenses of the Joint Committee, its members, and any staff assigned to the Joint Committee incurred by the Joint Committee shall be paid by the Joint Contingency Fund; and

BE IT FURTHER RESOLVED that the Joint Committee is authorized to function during the legislative interim between the Second Regular Session of the Ninety-seventh General Assembly and the First Regular Session of the Ninety-eighth General Assembly through December 31, 2014, as authorized by State v. Atterbury, 300 S.W.2d 806 (Mo. 1957).

## **COMMITTEE APPOINTMENTS**

President Pro Tem Dempsey submitted the following:

January 8, 2014

Terry Spieler  
Secretary of the Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler,

Due to the vacancies created by the resignation of Senator Ryan McKenna, I am making the following Standing Committee appointments:

Administration – Senator Walsh

Agriculture, Food Production and Outdoor Resources – Senator Holsman

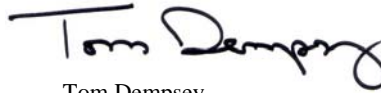
Gubernatorial Appointments – Senator Curls

Jobs, Economic Development and Local Government – Senator Keaveny

Transportation and Infrastructure – Senator Sifton

Please do not hesitate to contact me should you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Tom Dempsey". The signature is fluid and cursive, with the first name "Tom" and last name "Dempsey" clearly legible.

Tom Dempsey

## **RESOLUTIONS**

Senator Lager offered Senate Resolution No. 1056, regarding the 2013 State Champions, North Andrew High School football program, which was adopted.

Senator Wallingford offered Senate Resolution No. 1057, regarding Vickie Dreyer, Old Appleton, which was adopted.

Senator Kehoe offered Senate Resolution No. 1058, regarding Joshua Andrew Sommerer, which was adopted.

Senator Kehoe offered Senate Resolution No. 1059, regarding Jefferson City Academic Center, which was adopted.

Senator Kehoe offered Senate Resolution No. 1060, regarding the 2013 Class 2A Large Division state cheer champion Blair Oaks High School varsity cheerleading program, which was adopted.

Senator Sater offered Senate Resolution No. 1061, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Stanley Allen Peterson, Jr., Kisse Mills, which was adopted.

Senator Sater offered Senate Resolution No. 1062, regarding Jim Berry, Forsyth, which was adopted.

Senator LeVota offered Senate Resolution No. 1063, regarding the death of John William Mallinson Jr., Sugar Creek, which was adopted.

Senator Schaaf offered Senate Resolution No. 1064, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Farrell Harding, St. Joseph, which was adopted.

Senator Schaaf offered Senate Resolution No. 1065, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Harold D. Stewart, St. Joseph, which was adopted.

Senator Schaaf offered Senate Resolution No. 1066, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Wallace Dean Jameson, St. Joseph, which was adopted.



Senators LeVota, Holsman, Curls and Justus offered Senate Resolution No. 1067, regarding the death of Frederick R. “Fred” Wyrsh Jr., Kansas City, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Pearce introduced to the Senate, Dayna Marinan, University of Central Missouri.

Senator Wallingford introduced to the Senate, his wife, Suzy, Cape Girardeau.

Senator Emery introduced to the Senate, Jesse Hamilton, Washington.

Senator Kehoe introduced to the Senate, Marki Burnett, Jefferson City.

Senator Richard introduced to the Senate, Armando Alberto, Missouri Southern State College.

Senator Schmitt introduced to the Senate, Adam Bohn, Ballwin.

On motion of Senator Richard, the Senate adjourned under the rules.

### **SENATE CALENDAR**

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SECOND DAY—THURSDAY, JANUARY 9, 2014

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### **FORMAL CALENDAR**

#### **SECOND READING OF SENATE BILLS**

SB 485-Rupp	SB 502-Schaaf
SB 486-Rupp	SB 503-Schaaf
SB 487-Rupp	SB 504-Munzlinger
SB 488-Lager	SB 505-Munzlinger
SB 489-Lager	SB 506-Munzlinger
SB 490-Lager and Kehoe	SB 507-Dixon
SB 491-Justus and Dixon	SB 508-Parson
SB 492-Pearce	SB 509-Kraus
SB 493-Pearce	SB 510-Kraus
SB 494-Pearce	SB 511-Kraus
SB 495-Schmitt	SB 512-Lamping
SB 496-Schmitt	SB 513-Lamping
SB 497-Schmitt	SB 514-Lamping, et al
SB 498-Schaefer	SB 515-Chappelle-Nadal
SB 499-Keaveny	SB 516-Chappelle-Nadal and Nasheed
SB 500-Keaveny	SB 517-Chappelle-Nadal
SB 501-Keaveny	SB 518-Sater

SB 519-Sater	SB 559-Sifton
SB 520-Sater	SB 560-Sifton
SB 521-Emery	SB 561-Munzlinger
SB 522-Emery and Nieves	SB 562-Chappelle-Nadal
SB 523-Emery	SB 563-Chappelle-Nadal
SB 524-Cunningham	SB 564-Chappelle-Nadal
SB 525-Cunningham	SB 565-Nasheed
SB 526-Cunningham	SB 566-Sifton
SB 527-Wallingford	SB 567-Chappelle-Nadal
SB 528-Wallingford	SB 568-Chappelle-Nadal
SB 529-Wallingford	SB 569-Chappelle-Nadal
SB 530-Libla	SB 570-Chappelle-Nadal
SB 531-Nasheed	SB 571-Chappelle-Nadal
SB 532-Nasheed	SB 572-Chappelle-Nadal
SB 533-Nasheed	SB 573-Munzlinger
SB 534-Sifton	SB 574-Munzlinger
SB 535-Sifton	SB 575-Dixon
SB 536-Sifton	SB 577-Kraus
SB 537-Rupp	SB 578-Kraus
SB 538-Keaveny and Holsman	SB 579-Holsman
SB 539-Keaveny and Holsman	SB 580-Kraus
SB 540-Keaveny	SB 581-Rupp
SB 541-Munzlinger	SB 582-Rupp
SB 542-Munzlinger	SB 583-Dixon
SB 543-Munzlinger	SB 584-Dixon
SB 544-Lamping	SB 585-Dixon
SB 545-Lamping	SB 586-Kraus
SB 546-Lamping, et al	SB 587-Kraus
SB 547-Chappelle-Nadal	SB 588-Kraus
SB 548-Chappelle-Nadal	SB 589-Brown
SB 549-Chappelle-Nadal	SB 590-Brown
SB 550-Sater	SB 591-Sater
SB 551-Sater	SB 593-Sater
SB 552-Sater	SB 594-Libla
SB 553-Emery	SB 595-Walsh
SB 554-Cunningham	SB 596-Holsman
SB 555-Nasheed	SB 597-Holsman
SB 556-Nasheed	SB 598-Holsman
SB 557-Nasheed	SB 599-Kraus
SB 558-Sifton	SB 600-Sater

SB 601-Holsman	SB 641-Emery
SB 602-Holsman	SB 642-Romine
SB 603-Holsman	SB 643-Rupp
SB 604-Holsman	SB 644-LeVota
SB 605-Dixon	SB 645-LeVota
SB 606-Dixon	SB 646-LeVota
SB 607-Dixon	SB 647-Sifton
SB 608-Holsman	SB 648-LeVota
SB 609-Rupp	SB 649-Lager
SB 610-Rupp	SB 650-Lager
SB 611-Schaaf	SB 651-Lager
SB 612-Schaaf	SB 652-Lager
SB 613-Nieves, et al	SB 653-Lager
SB 614-Dixon	SB 654-Keaveny
SB 615-Dixon	SB 655-Kraus
SB 616-Nasheed	SB 656-Kraus
SB 617-Rupp	SB 657-Kraus
SB 618-Nieves	SB 658-Wallingford
SB 619-Nieves	SB 659-Wallingford
SB 620-Nieves	SB 660-Wallingford
SB 621-Dixon	SB 661-LeVota
SB 622-Nieves	SB 662-Kraus
SB 623-Nieves	SB 663-Munzlinger
SB 624-LeVota	SB 664-Brown
SB 625-Sater and Munzlinger	SB 665-LeVota
SB 626-LeVota	SB 666-Schmitt
SB 627-LeVota	SB 667-Schmitt
SB 628-Schaaf	SB 668-Silvey
SB 629-Kraus	SB 669-Schaaf
SB 630-Wallingford	SB 670-Sater
SB 631-Wallingford	SB 671-Sater
SB 632-Parson	SB 672-Parson
SB 633-Parson	SB 673-Kehoe and Wallingford
SB 634-Parson	SB 674-Kehoe
SB 635-Silvey and Holsman	SB 675-Kehoe
SB 636-LeVota	SB 676-Curls
SB 637-Rupp	SB 677-Curls
SB 638-Romine	SB 678-Curls
SB 639-Brown	SB 679-Curls
SB 640-Emery	SB 680-Curls

SB 681-Curls	SJR 32-Chappelle-Nadal
SB 682-Curls	SJR 33-Chappelle-Nadal
SB 683-Curls	SJR 34-Emery
SJR 25-Lager	SJR 35-Nasheed
SJR 26-Lager	SJR 36-Schaefer and Richard
SJR 27-Schaaf and Dixon	SJR 37-Dixon
SJR 28-Munzlinger	SJR 38-Nieves
SJR 29-Munzlinger	SJR 39-Dixon
SJR 30-Dixon	SJR 40-Curls
SJR 31-Kraus	SJR 41-Curls

#### INFORMAL CALENDAR

#### RESOLUTIONS

HCR 1-Diehl (Richard)

HCR 2-Diehl (Richard)

To be Referred

SCR 17-Wallingford

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# Journal of the Senate

## SECOND REGULAR SESSION

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**SECOND DAY—THURSDAY, JANUARY 9, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“May the God of hope fill you with all joy and peace in believing so you may abound in hope by the power of the Holy Spirit.” (Romans 15:13)

Blessed Lord, in this season of Your revealing presence, help us to encourage our people that we care about them and the future of this state. So abide in us as we decide what is right so our decisions are helpful and effective and give others hope. Help us give this sense of hope in what we do and say, so what is done here glorifies Your name. And Lord, we would ask “watch our going out and our coming in” as we head home this day. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

Absent—Senators—None

Absent with leave—Senators

Lamping      Nieves—2

Vacancies—1

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Parson offered Senate Resolution No. 1068, regarding the Fiftieth Wedding Anniversary of Mr.

and Mrs. Robert Wienberg, Cole Camp, which was adopted.

Senator Parson offered Senate Resolution No. 1069, regarding the Fiftieth Wedding Anniversary of Lester and Twyla Sikes, Bolivar, which was adopted.

Senator Parson offered Senate Resolution No. 1070, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bill Harmon, Elkland, which was adopted.

Senator Parson offered Senate Resolution No. 1071, regarding the Fiftieth Wedding Anniversary of Bob and Ernestine McClelland, Buffalo, which was adopted.

Senator Cunningham offered Senate Resolution No. 1072, regarding Rick McBride, which was adopted.

Senator Cunningham offered Senate Resolution No. 1073, regarding Scott Heidy, West Plains, which was adopted.

Senator Wallingford offered Senate Resolution No. 1074, regarding Waller Agency of American Family Insurance, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 1075, regarding Kimbeland Country Club, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 1076, regarding Liberty Utilities, Jackson, which was adopted.

### **INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 684**—By Holsman.

An Act to amend chapter 197, RSMo, by adding thereto two new sections relating to health care transparency.

**SB 685**—By LeVota.

An Act to repeal section 193.125, RSMo, and to enact in lieu thereof two new sections relating to birth certificates.

**SB 686**—By LeVota.

An Act to repeal section 290.502, RSMo, and to enact in lieu thereof one section relating to the minimum wage.

**SB 687**—By LeVota.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to an earned income tax credit.

**SB 688**—By LeVota.

An Act to amend chapter 376, RSMo, by adding thereto three new sections relating to health insurance premium rate reviews, with an emergency clause.

**SB 689**—By Schmitt, Walsh, Keaveny, Nasheed, Nieves, Romine and Chappelle-Nadal.

An Act to repeal section 311.200, RSMo, and to enact in lieu thereof one new section relating to the

sale of intoxicating liquor in the original package.

**SB 690**—By Wasson.

An Act to repeal sections 190.335 and 190.339, RSMo, and to enact in lieu thereof two new sections relating to emergency service boards.

**SB 691**—By Wasson.

An Act to amend chapter 379, RSMo, by adding thereto one new section relating to sinkhole insurance coverage for property damage caused by sinkhole activity.

**SB 692**—By Wasson.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage for optometric and ophthalmic services and materials.

**SB 693**—By Parson.

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to taxes on the titling of motor vehicles.

**SB 694**—By Cunningham.

An Act to repeal sections 408.500, 408.505, and 408.506, RSMo, and to enact in lieu thereof three new sections relating to unsecured loans of five hundred dollars or less, with penalty provisions.

**SB 695**—By Keaveny.

An Act to repeal section 454.500, RSMo, and to enact in lieu thereof one new section relating to the authority to add a child through modification of an administrative child support order.

**SB 696**—By Schaefer.

An Act to repeal section 304.351, RSMo, and to enact in lieu thereof one new section relating to fines for failing to yield the right-of-way, with penalty provisions.

**SB 697**—By Schaefer.

An Act to repeal section 32.057, RSMo, and to enact in lieu thereof one new section relating to disclosure of cigarette sales in tax information, with an existing penalty provision.

### **MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

John Michael Downing, 1308 Elmerine Avenue, Jefferson City, Cole County, Missouri 65101, as Director of the Department of Economic Development for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 8, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Carolyn Gail Vasterling, 5010 Sharon Drive, Jefferson City, Cole County, Missouri 65109, as Director of the Department of Health and Senior Services, for a term ending at the pleasure of the Governor, and until her successor is duly appointed and qualified.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Dempsey referred the above appointments to the Committee on Gubernatorial Appointments.

### **REFERRALS**

President Pro Tem Dempsey referred **SCR 17** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

### **SECOND READING OF SENATE BILLS**

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

**SB 485**—Education.

**SB 486**—Rules, Joint Rules, Resolutions and Ethics.

**SB 487**—Rules, Joint Rules, Resolutions and Ethics.

**SB 488**—Rules, Joint Rules, Resolutions and Ethics.

**SB 489**—Judiciary and Civil and Criminal Jurisprudence.

**SB 490**—Judiciary and Civil and Criminal Jurisprudence.

**SB 491**—Judiciary and Civil and Criminal Jurisprudence.

**SB 492**—Education.

**SB 493**—Education.

**SB 494**—Education.

**SB 495**—Education.

**SB 496**—Ways and Means.

**SB 497**—Ways and Means.

**SB 498**—Small Business, Insurance and Industry.

**SB 499**—Judiciary and Civil and Criminal Jurisprudence.

**SB 500**—Judiciary and Civil and Criminal Jurisprudence.



- SB 501**—Judiciary and Civil and Criminal Jurisprudence.
- SB 502**—Veterans' Affairs and Health.
- SB 503**—Transportation and Infrastructure.
- SB 504**—Governmental Accountability and Fiscal Oversight.
- SB 505**—Ways and Means.
- SB 506**—Agriculture, Food Production and Outdoor Resources.
- SB 507**—Rules, Joint Rules, Resolutions and Ethics.
- SB 508**—Small Business, Insurance and Industry.
- SB 509**—Ways and Means.
- SB 510**—Small Business, Insurance and Industry.
- SB 511**—Financial and Governmental Organizations and Elections.
- SB 512**—Rules, Joint Rules, Resolutions and Ethics.
- SB 513**—Ways and Means.
- SB 514**—Education.
- SB 515**—Education.
- SB 516**—Education.
- SB 517**—Education.
- SB 518**—Seniors, Families and Pensions.
- SB 519**—Judiciary and Civil and Criminal Jurisprudence.
- SB 520**—Governmental Accountability and Fiscal Oversight.
- SB 521**—Education.
- SB 522**—Education.
- SB 523**—General Laws.
- SB 524**—Jobs, Economic Development and Local Government.
- SB 525**—Small Business, Insurance and Industry.
- SB 526**—Small Business, Insurance and Industry.
- SB 527**—General Laws.
- SB 528**—Financial and Governmental Organizations and Elections.
- SB 529**—Commerce, Consumer Protection, Energy and the Environment.
- SB 530**—Seniors, Families and Pensions.
- SJR 25**—Small Business, Insurance and Industry.
- SJR 26**—Ways and Means.

**SJR 27**—Judiciary and Civil and Criminal Jurisprudence.

**SJR 28**—Agriculture, Food Production and Outdoor Resources.

**SJR 29**—Agriculture, Food Production and Outdoor Resources.

**SJR 30**—Rules, Joint Rules, Resolutions and Ethics.

**SJR 31**—Financial and Governmental Organizations and Elections.

Senator Pearce assumed the Chair.

### **INTRODUCTIONS OF GUESTS**

Senator Romine introduced to the Senate, Lisa Rose, Missouri State University.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, January 13, 2014.

### **SENATE CALENDAR**

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**THIRD DAY—MONDAY, JANUARY 13, 2014**

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### **FORMAL CALENDAR**

### **SECOND READING OF SENATE BILLS**

SB 531-Nasheed	SB 549-Chappelle-Nadal
SB 532-Nasheed	SB 550-Sater
SB 533-Nasheed	SB 551-Sater
SB 534-Sifton	SB 552-Sater
SB 535-Sifton	SB 553-Emery
SB 536-Sifton	SB 554-Cunningham
SB 537-Rupp	SB 555-Nasheed
SB 538-Keaveny and Holsman	SB 556-Nasheed
SB 539-Keaveny and Holsman	SB 557-Nasheed
SB 540-Keaveny	SB 558-Sifton
SB 541-Munzlinger	SB 559-Sifton
SB 542-Munzlinger	SB 560-Sifton
SB 543-Munzlinger	SB 561-Munzlinger
SB 544-Lamping	SB 562-Chappelle-Nadal
SB 545-Lamping	SB 563-Chappelle-Nadal
SB 546-Lamping, et al	SB 564-Chappelle-Nadal
SB 547-Chappelle-Nadal	SB 565-Nasheed
SB 548-Chappelle-Nadal	SB 566-Sifton

SB 567-Chappelle-Nadal	SB 609-Rupp
SB 568-Chappelle-Nadal	SB 610-Rupp
SB 569-Chappelle-Nadal	SB 611-Schaaf
SB 570-Chappelle-Nadal	SB 612-Schaaf
SB 571-Chappelle-Nadal	SB 613-Nieves, et al
SB 572-Chappelle-Nadal	SB 614-Dixon
SB 573-Munzlinger	SB 615-Dixon
SB 574-Munzlinger	SB 616-Nasheed
SB 575-Dixon	SB 617-Rupp
SB 577-Kraus	SB 618-Nieves
SB 578-Kraus	SB 619-Nieves
SB 579-Holsman	SB 620-Nieves
SB 580-Kraus	SB 621-Dixon
SB 581-Rupp	SB 622-Nieves
SB 582-Rupp	SB 623-Nieves
SB 583-Dixon	SB 624-LeVota
SB 584-Dixon	SB 625-Sater and Munzlinger
SB 585-Dixon	SB 626-LeVota
SB 586-Kraus	SB 627-LeVota
SB 587-Kraus	SB 628-Schaaf
SB 588-Kraus	SB 629-Kraus
SB 589-Brown	SB 630-Wallingford
SB 590-Brown	SB 631-Wallingford
SB 591-Sater	SB 632-Parson
SB 593-Sater	SB 633-Parson
SB 594-Libla	SB 634-Parson
SB 595-Walsh	SB 635-Silvey and Holsman
SB 596-Holsman	SB 636-LeVota
SB 597-Holsman	SB 637-Rupp
SB 598-Holsman	SB 638-Romine
SB 599-Kraus	SB 639-Brown
SB 600-Sater	SB 640-Emery
SB 601-Holsman	SB 641-Emery
SB 602-Holsman	SB 642-Romine
SB 603-Holsman	SB 643-Rupp
SB 604-Holsman	SB 644-LeVota
SB 605-Dixon	SB 645-LeVota
SB 606-Dixon	SB 646-LeVota
SB 607-Dixon	SB 647-Sifton
SB 608-Holsman	SB 648-LeVota

SB 649-Lager	SB 679-Curls
SB 650-Lager	SB 680-Curls
SB 651-Lager	SB 681-Curls
SB 652-Lager	SB 682-Curls
SB 653-Lager	SB 683-Curls
SB 654-Keaveny	SB 684-Holsman
SB 655-Kraus	SB 685-LeVota
SB 656-Kraus	SB 686-LeVota
SB 657-Kraus	SB 687-LeVota
SB 658-Wallingford	SB 688-LeVota
SB 659-Wallingford	SB 689-Schmitt, et al
SB 660-Wallingford	SB 690-Wasson
SB 661-LeVota	SB 691-Wasson
SB 662-Kraus	SB 692-Wasson
SB 663-Munzlinger	SB 693-Parson
SB 664-Brown	SB 694-Cunningham
SB 665-LeVota	SB 695-Keaveny
SB 666-Schmitt	SB 696-Schaefer
SB 667-Schmitt	SB 697-Schaefer
SB 668-Silvey	SJR 32-Chappelle-Nadal
SB 669-Schaaf	SJR 33-Chappelle-Nadal
SB 670-Sater	SJR 34-Emery
SB 671-Sater	SJR 35-Nasheed
SB 672-Parson	SJR 36-Schaefer and Richard
SB 673-Kehoe and Wallingford	SJR 37-Dixon
SB 674-Kehoe	SJR 38-Nieves
SB 675-Kehoe	SJR 39-Dixon
SB 676-Curls	SJR 40-Curls
SB 677-Curls	SJR 41-Curls
SB 678-Curls	

## INFORMAL CALENDAR

## RESOLUTIONS

HCR 1-Diehl (Richard)

HCR 2-Diehl (Richard)

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# Journal of the Senate

## SECOND REGULAR SESSION

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**THIRD DAY—MONDAY, JANUARY 13, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Lord, take me where you want me to go, let me meet who you want me to meet, tell me what you want me to say, and keep me out of your way.” (Prayer of Father Mychal Judge)

Lord, we begin a new week with new challenges and opportunities and we hope we will make the most of each experience. May we be Your servant keeping Your teachings before us and our lives reflecting the way we ought to live. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 9, 2014 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

Absent—Senators—None

Absent with leave—Senators

Lamping      Rupp—2

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Sater offered Senate Resolution No. 1077, regarding Fire Chief Melvin L. Owens, which was adopted.

Senator Justus offered Senate Resolution No. 1078, regarding the Fortieth Birthday of Megan Roth, Kansas City, which was adopted.

Senator Keaveny offered Senate Resolution No. 1079, regarding the Fiftieth Birthday of Jeffrey Linell Boyd, St. Louis, which was adopted.

Senator Sater offered Senate Resolution No. 1080, regarding Charles W. A. “Charlie” Seymour, Cassville, which was adopted.

Senator Libla offered Senate Resolution No. 1081, regarding the death of Joseph Reed McGhee, Kennett, which was adopted.

Senator Parson offered Senate Resolution No. 1082, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. James Huff, which was adopted.

Senator Kraus offered Senate Resolution No. 1083, regarding Lisa Henning, Blue Springs, which was adopted.

Senator Lager offered Senate Resolution No. 1084, regarding M’Shoogy’s/Angels Vet, Savannah, which was adopted.

Senator Lager offered Senate Resolution No. 1085, regarding Jim Wrenn, which was adopted.

Senator Lager offered Senate Resolution No. 1086, regarding the NCAA Division 2 Football Champions Northwest Missouri State University, Maryville, which was adopted.

Senator LeVota offered Senate Resolution No. 1087, regarding Mason Murphy, Independence, which was adopted.

Senator Schmitt offered Senate Resolution No. 1088, regarding Tim Fitch, Saint Louis County, which was adopted.

**CONCURRENT RESOLUTIONS**

Senator Richard moved that **HCR 1** be taken up for adoption, which motion prevailed.

On motion of Senator Richard, **HCR 1** was adopted by the following vote:

**YEAS—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

**NAYS—Senators—None****Absent—Senators—None**

Absent with leave—Senators

Lamping Rupp—2

Vacancies—None

Senator Richard moved that **HCR 2** be taken up for adoption, which motion prevailed

On motion of Senator Richard, **HCR 2** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators

Lamping Rupp—2

Vacancies—1

## INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

**SB 698**—By Justus.

An Act to amend chapter 348, RSMo, by adding thereto two new sections relating to an angel investor tax credit.

**SB 699**—By Pearce.

An Act to repeal sections 173.030 and 174.450, RSMo, and to enact in lieu thereof two new sections relating to state authorization of reciprocity agreements for distance education.

**SB 700**—By Sater.

An Act to repeal section 334.104, RSMo, and to enact in lieu thereof one new section relating to collaborative practice arrangements.

**SB 701**—By Lager.

An Act to amend chapter 168, RSMo, by adding thereto one new section relating to school superintendents.

**SB 702**—By Lager.

An Act to amend chapter 393, RSMo, by adding thereto one new section relating to rulemaking for electrical corporations, with an expiration date.

**SB 703**—By Lager.

An Act to repeal section 213.010, RSMo, and to enact in lieu thereof two new sections relating to unlawful discriminatory practices.

**SB 704**—By Lager.

An Act to repeal sections 327.312, 327.313, and 327.314, RSMo, and to enact in lieu thereof four new sections relating to land surveyors, with an effective date for a certain section.

**SB 705**—By Lager.

An Act to repeal sections 108.140 and 108.170, RSMo, and to enact in lieu thereof three new sections relating to political subdivision indebtedness.

**SB 706**—By Cunningham.

An Act to amend chapter 416, RSMo, by adding thereto four new sections relating to bad faith assertions of patent infringement claims.

**SB 707**—By Wasson.

An Act to repeal section 301.010, RSMo, and to enact in lieu thereof one new section relating to off-highway motorized vehicles.

**SJR 42**—By Schmitt.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article III of the Constitution of Missouri, and adopting one new section relating to the joint committee on administrative rules.

### **CONCURRENT RESOLUTIONS**

Senator Schmitt offered the following concurrent resolution:

#### **SENATE CONCURRENT RESOLUTION NO. 18**

WHEREAS, the Department of Agriculture filed a proposed amendment for 2 CSR 90-30.040 on May 31, 2013, and filed the order of rulemaking with the Joint Committee on Administrative Rules on September 20, 2013; and

WHEREAS, the Joint Committee on Administrative Rules held hearings on October 7 and October 9, 2013, and has found 2 CSR 90-30.040 lacking in compliance with the provisions of Chapter 536, RSMo:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby finds that the Department of Agriculture has violated the provisions of Chapter 536, RSMo, when it failed to comply with the provisions of section 536.014, RSMo; and

BE IT FURTHER RESOLVED that the Ninety-seventh General Assembly, upon concurrence of a majority of the members of the Senate



and a majority of the members of the House of Representatives, hereby permanently disapproves and suspends the final order of rulemaking for the proposed amendment to 2 CSR 90-30.040, Quality Standards of Motor Fuels; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the Secretary of State so that the Secretary of State may publish in the Missouri Register, as soon as practicable, notice of the disapproval of the final order of rulemaking for the proposed amendment to 2 CSR 90-30.040, upon this resolution having been signed by the Governor or having been approved by two-thirds of each house of the Ninety-seventh General Assembly, Second Regular Session, after veto by the Governor as provided in Sections 31 and 32 of Article III, and Section 8 of Article IV of the Missouri Constitution; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the Governor in accordance with Section 8 of Article IV of the Missouri Constitution.

### **MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 13, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Joseph Hunt as a member of the Regional Convention and Sports Complex Authority, submitted to you on January 8, 2014. Line 1 should be amended to read:

Joseph Hunt, Democrat, 7500 Bull Run Drive, Saint Louis, Saint Louis County, Missouri

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 13, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

The following addendum should be made to the appointment of April S. Wilson as a member of the Child Abuse and Neglect Review Board, submitted to you on January 8, 2014. Line 1 should be amended to read:

April S. Wilson, Rural Route 1 Box 165A, Memphis, Scotland County, Missouri 63555,

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Dempsey referred the above addendums to the Committee on Gubernatorial Appointments.

### **COMMUNICATIONS**

President Pro Tem Dempsey submitted the following:

**SENATE HEARING SCHEDULE  
97th GENERAL ASSEMBLY  
SECOND REGULAR SESSION  
JANUARY 13, 2014**

	Monday	Tuesday	Wednesday	Thursday
8:00 a.m.		Appropriations SCR 2 (Schaefer)	Appropriations SCR 2 (Schaefer) Transportation and Infrastructure SCR 1 (Kehoe)	
8:15 a.m.		Seniors, Families and Pensions SCR 1 (Lamping)		
8:30 a.m.			Gubernatorial Appointments SL (Dempsey)	Ways and Means SCR 1 (Kraus)  Veterans' Affairs and Health SL (Brown)
12:30 p.m.	Appropriations SCR 2 (Schaefer)			
1:00 p.m.		Small Business, Insurance and Industry SCR 1 (Rupp)  Rules, Joint Rules, Resolutions and Ethics SL (Richard)	Jobs, Economic Development and Local Government SL (Schmitt)  Agriculture, Food Production and Outdoor Resources SCR 1 (Munzlinger)	
2:00 p.m.			Progress and Development SCR 2 (Justus)	
2:30 p.m.	Financial and Governmental Organizations and Elections SL (Wasson)			
3:00 p.m.		Commerce, Consumer Protection, Energy and the Environment SL (Lager)  General Laws SCR 1 (Nieves)	Governmental Accountability and Fiscal Oversight SCR 1 (Parson)  Education SL (Pearce)	
7:00 p.m.	Judiciary and Civil and Criminal Jurisprudence SL (Dixon)			

**INTRODUCTIONS OF GUESTS**

Senator Wallingford introduced to the Senate, Sarah Pursley, Mexico.

On motion of Senator Richard, the Senate adjourned under the rules.

**SENATE CALENDAR**

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FOURTH DAY—TUESDAY, JANUARY 14, 2014

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**FORMAL CALENDAR**

**SECOND READING OF SENATE BILLS**

SB 531-Nasheed	SB 557-Nasheed
SB 532-Nasheed	SB 558-Sifton
SB 533-Nasheed	SB 559-Sifton
SB 534-Sifton	SB 560-Sifton
SB 535-Sifton	SB 561-Munzlinger
SB 536-Sifton	SB 562-Chappelle-Nadal
SB 537-Rupp	SB 563-Chappelle-Nadal
SB 538-Keaveny and Holsman	SB 564-Chappelle-Nadal
SB 539-Keaveny and Holsman	SB 565-Nasheed
SB 540-Keaveny	SB 566-Sifton
SB 541-Munzlinger	SB 567-Chappelle-Nadal
SB 542-Munzlinger	SB 568-Chappelle-Nadal
SB 543-Munzlinger	SB 569-Chappelle-Nadal
SB 544-Lamping	SB 570-Chappelle-Nadal
SB 545-Lamping	SB 571-Chappelle-Nadal
SB 546-Lamping, et al	SB 572-Chappelle-Nadal
SB 547-Chappelle-Nadal	SB 573-Munzlinger
SB 548-Chappelle-Nadal	SB 574-Munzlinger
SB 549-Chappelle-Nadal	SB 575-Dixon
SB 550-Sater	SB 577-Kraus
SB 551-Sater	SB 578-Kraus
SB 552-Sater	SB 579-Holsman
SB 553-Emery	SB 580-Kraus
SB 554-Cunningham	SB 581-Rupp
SB 555-Nasheed	SB 582-Rupp
SB 556-Nasheed	SB 583-Dixon

SB 584-Dixon	SB 625-Sater and Munzlinger
SB 585-Dixon	SB 626-LeVota
SB 586-Kraus	SB 627-LeVota
SB 587-Kraus	SB 628-Schaaf
SB 588-Kraus	SB 629-Kraus
SB 589-Brown	SB 630-Wallingford
SB 590-Brown	SB 631-Wallingford
SB 591-Sater	SB 632-Parson
SB 593-Sater	SB 633-Parson
SB 594-Libla	SB 634-Parson
SB 595-Walsh	SB 635-Silvey and Holsman
SB 596-Holsman	SB 636-LeVota
SB 597-Holsman	SB 637-Rupp
SB 598-Holsman	SB 638-Romine
SB 599-Kraus	SB 639-Brown
SB 600-Sater	SB 640-Emery
SB 601-Holsman	SB 641-Emery
SB 602-Holsman	SB 642-Romine
SB 603-Holsman	SB 643-Rupp
SB 604-Holsman	SB 644-LeVota
SB 605-Dixon	SB 645-LeVota
SB 606-Dixon	SB 646-LeVota
SB 607-Dixon	SB 647-Sifton
SB 608-Holsman	SB 648-LeVota
SB 609-Rupp	SB 649-Lager
SB 610-Rupp	SB 650-Lager
SB 611-Schaaf	SB 651-Lager
SB 612-Schaaf	SB 652-Lager
SB 613-Nieves, et al	SB 653-Lager
SB 614-Dixon	SB 654-Keaveny
SB 615-Dixon	SB 655-Kraus
SB 616-Nasheed	SB 656-Kraus
SB 617-Rupp	SB 657-Kraus
SB 618-Nieves	SB 658-Wallingford
SB 619-Nieves	SB 659-Wallingford
SB 620-Nieves	SB 660-Wallingford
SB 621-Dixon	SB 661-LeVota
SB 622-Nieves	SB 662-Kraus
SB 623-Nieves	SB 663-Munzlinger
SB 624-LeVota	SB 664-Brown

SB 665-LeVota	SB 692-Wasson
SB 666-Schmitt	SB 693-Parson
SB 667-Schmitt	SB 694-Cunningham
SB 668-Silvey	SB 695-Keaveny
SB 669-Schaaf	SB 696-Schaefer
SB 670-Sater	SB 697-Schaefer
SB 671-Sater	SB 698-Justus
SB 672-Parson	SB 699-Pearce
SB 673-Kehoe and Wallingford	SB 700-Sater
SB 674-Kehoe	SB 701-Lager
SB 675-Kehoe	SB 702-Lager
SB 676-Curls	SB 703-Lager
SB 677-Curls	SB 704-Lager
SB 678-Curls	SB 705-Lager
SB 679-Curls	SB 706-Cunningham
SB 680-Curls	SB 707-Wasson
SB 681-Curls	SJR 32-Chappelle-Nadal
SB 682-Curls	SJR 33-Chappelle-Nadal
SB 683-Curls	SJR 34-Emery
SB 684-Holsman	SJR 35-Nasheed
SB 685-LeVota	SJR 36-Schaefer and Richard
SB 686-LeVota	SJR 37-Dixon
SB 687-LeVota	SJR 38-Nieves
SB 688-LeVota	SJR 39-Dixon
SB 689-Schmitt, et al	SJR 40-Curls
SB 690-Wasson	SJR 41-Curls
SB 691-Wasson	SJR 42-Schmitt

## INFORMAL CALENDAR

### RESOLUTIONS

To be Referred

SCR 18-Schmitt

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# Journal of the Senate

## SECOND REGULAR SESSION

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**FOURTH DAY—TUESDAY, JANUARY 14, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“One filled with joy preaches without preaching.” (Mother Teresa)

Gracious God, we are so aware that people look on us and the way we react to others and the way we live. We are role models whether or not we choose to be. So we pray that our lives will reflect the fruits of Your Holy Spirit and that joy be experienced and found in us so others will know what it is to have such a blessing from You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

**REMONSTRANCES**

Senator Chappelle-Nadal offered the following remonstrance, which was read:

**SENATE REMONSTRANCE NO. 1**

WHEREAS, In July, 2009, Dr. Chris Nicastro was appointed Commissioner of Education by the State Board of Education; and

WHEREAS earlier in her career, the Commissioner served as the superintendent of the Riverview Gardens School District, a district which became unaccredited in the years after her tenure ended; and

WHEREAS, in her term as Commissioner of Education, Dr. Nicastro has repeatedly demonstrated a failed leadership style, been less than truthful with members of the education community and Legislature, and acted with blatant disregard for the inherent responsibilities of her position; and

WHEREAS, the Commissioner's actions regarding the fiscal note for Initiative Petition 14-024 (better known colloquially as the "Tenure Initiative Petition") is but one example of the course this commissioner often chooses, disregarding facts and truth in favor of political expediency; and

WHEREAS, through a series of Sunshine Law requests, it has become apparent that the Commissioner acted in a less than truthful manner in formulating her Department's "Fiscal Impact Estimate" for the petition; and

WHEREAS, in the "Estimated Net Effect on Local Funds" section of said fiscal note, the Commissioner unilaterally altered the Department's "Summary of Fiscal Impact" by scratching out the original findings of her Department's staff that the initiative petition should show "Potential For Significant Unknown Costs" to local school districts for the cost of test development; and

WHEREAS, with a stroke of her pen, the Commissioner altered the words "Potential For Significant Unknown Costs" to "Costs Unknown"; and

WHEREAS, in no uncertain terms, the Commissioner's actions concealing the potential negative fiscal impact of Initiative Petition 14-024 on local school districts is intolerable and a blatant demonstration of the Commissioner's lack of fitness for her lofty position; and

WHEREAS, such a "modification" is even more difficult to justify, because her alteration to the fiscal note for the "Tenure Initiative Petition" asserts no costs to the state for test development, while in the Department's budget request for the upcoming fiscal year, the Department asserts the need for \$30 million solely for end-of-course exams and grades 3-8 English language arts and mathematics exams; and

WHEREAS, compounding the aforementioned issues regarding the fiscal note for Initiative Petition 14-024 is the fact that the Commissioner held several meetings and was engaged in many conversations with lobbyists who were advocating for the petition regarding the Department's fiscal note response to the petition, which, at a minimum, raises ethical concerns about the Commissioner's motivations regarding the fiscal note; and

WHEREAS, the Commissioner also acted in a less than truthful manner regarding the State Board of Education's accreditation reclassification of the Normandy School District; and

WHEREAS, when the Normandy School District agreed to absorb students from the failed Wellston School District, which failed while under control of a special administrative board appointed by the State Board of Education, the Commissioner assured officials that if Normandy agreed to absorb those Wellston students, Normandy's accreditation classification would remain intact for a minimum of three years in order to grant Normandy the necessary time to improve the test scores of those students absorbed into the district; and

WHEREAS, only two years later, Normandy's state accreditation was revoked, a decision that today is literally bankrupting the Normandy School District; and

WHEREAS, similarly, the Commissioner misled several legislators and members of the general public during the 2013 Legislative Session during the debate surrounding SB 125; and

WHEREAS, the Commissioner told legislators and other interested parties that if the Kansas City School District scored high enough on its forthcoming APR to be provisionally accredited, it would be granted that status. It was for this reason that the emergency clause was

removed from SB 125; and

WHEREAS, when the Kansas City School District did meet that goal of APR scores consistent with provisional accreditation this summer, the district remained classified as unaccredited and, consequently, is now facing the possibility of bankruptcy as a result of the transfer law governing unaccredited districts; and

WHEREAS, the decision to not grant the Kansas City School District provisional accreditation was inconsistent with the decision made with the St. Louis School District; and

WHEREAS, the Kansas City School District demonstrated APR growth for two consecutive years and met the same standards that the St. Louis Public School District did when it regained provisional accreditation; and

WHEREAS, the Commissioner attempted to grant a lucrative contract to CEE-Trust to develop an improvement plan for the Kansas City School District without first seeking other bids until members of the State Board of Education raised concerns about circumventing the typical bidding process; and

WHEREAS, when the State Board of Education directed her to engage in a legitimate bidding process for the contract, the Commissioner “transferred” the language from her original memorandum of understanding with CEE-Trust into the bid specifications; and

WHEREAS, emails show that the Commissioner had been communicating with CEE-Trust’s executive director for four months before the contract was entered into with CEE-Trust; and

WHEREAS, CEE-Trust was awarded the contract even though an experienced Massachusetts-based agency had offered its services for one third the cost of CEE-Trust’s bid; and

WHEREAS, another demonstration of the Commissioner’s failed leadership style can be gleaned from the implementation of the requirement that all testing be administered online for the 2015 school year, yet the Department has not quantified the true costs of ensuring that every district is properly equipped to give those tests online; and

WHEREAS, while the Department’s study of broadband and technology capacity will not be completed for several months, it is well known that these testing costs will be significant, yet the Department is still requiring that all testing be administered online by 2015; and

WHEREAS, the Commissioner’s lack of leadership is also evident from the Department’s ineffective attempt to close the Gordon Parks Charter School in Kansas City; and

WHEREAS, the Department’s handling of the closure was so substandard that the school was able to go to court and get the Department’s decision overturned, leaving a severely underachieving school open for another year, further damaging the educational outcomes of hundreds of students; and

WHEREAS, the Commissioner’s leadership style, history of less than truthful responses, and past actions have created an environment of such extreme distrust toward the Department that any proposal, policy, plan, or platform from her or the Department will be received with reservation, skepticism, and suspicion;

WHEREAS, her actions have resulted in such a high level of distrust that her presence and position within the Department will serve to obfuscate and debase any of the Department’s and State Board of Education’s legislative proposals, initiatives, and efforts at improving Missouri’s education system, regardless of their merit:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, hereby remonstrate against Dr. Chris Nicastro for her failed leadership, less than truthful nature, and blatant disregard for the inherent responsibilities of her position; and

BE IT FURTHER RESOLVED that, for the reasons expressed above and many others, the Senate hereby strongly recommends that the Commissioner resign her post immediately, and failing to do so, the Senate strongly urges that the State Board of Education terminate the Commissioner from her position because the students of this state cannot afford to bear the costs of her failed leadership; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send a copy of this remonstrance to the Commissioner of Education and each member of the State Board of Education.



**RESOLUTIONS**

Senators Sifton and Keaveny offered Senate Resolution No. 1089, regarding Larry C. Stone, Affton, which was adopted.

Senators Keaveny and Sifton offered Senate Resolution No. 1090, regarding Jake Baretich, Saint Louis, which was adopted.

Senator Nieves offered Senate Resolution No. 1091, regarding the death of Marc Sheldon Perez, Ellisville, which was adopted.

**CONCURRENT RESOLUTIONS**

Senator Romine offered the following concurrent resolution:

**SENATE CONCURRENT RESOLUTION NO. 19**

WHEREAS, the easily extracted, high purity lead ore in Missouri was a critical reason for the early development of Missouri and has provided good jobs, a way of life, and significant economic development to Missourians for centuries; and

WHEREAS, the lead industry in Missouri is the only primary, domestic source for that strategic material in America; and

WHEREAS, new technology now makes production of primary lead metal a safe, cost effective, and valuable means of continuing to provide a strategic material for numerous uses including munitions, protective barriers for x-rays, radioactive fallout, and radioactive contamination, and batteries for numerous uses including cars, trucks, electric vehicles, renewable energy storage, and peaking power reduction; and

WHEREAS, encouraging a safe, healthy, and lucrative lead industry in Missouri will give rise to good paying jobs, significant economic development, and the resources to mitigate the legacy of environmental issues caused by lead extraction:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby create the Missouri Lead Industry Employment, Economic Development and Environmental Remediation Task Force; and

BE IT FURTHER RESOLVED that the mission of the task force shall be to fully consider and make recommendations in a report to the General Assembly on:

- (1) The effects of a prompt environmental settlement giving rise to efficient and cost effective remediation;
- (2) Ways to promote the development of a clean lead industry;
- (3) Clean lead industry legislative proposals including rules and regulations necessary for implementation;
- (4) The economic potential of implementing clean lead industry policies; and

BE IT FURTHER RESOLVED that the task force be authorized to call upon any department, office, division, or agency of this state to assist in gathering information pursuant to its objective; and

BE IT FURTHER RESOLVED that the task force shall consist of all of the following members:

- (1) The Governor, or his or her designee, to serve as a member of the task force; and
- (2) One member of the general assembly of the majority party appointed by the president pro tem of the senate, to serve as the chair of the task force; and
- (3) One member of the general assembly of the majority party appointed by the speaker of the house of representatives, to serve as the vice-chair and secretary of the task force, and who will provide an agenda and report minutes of the task force; and
- (4) The Attorney General, or his or her designee, to serve as a member and provide technical assistance to the task force; and
- (5) The Director of the Department of Natural Resources, or his or her designee, to serve as a member and provide technical assistance to the task force; and
- (6) One member of the majority party of the senate and one member of the minority party of the senate appointed by the president pro tempore of the senate; and

(7) One member of the majority party of the house of representatives and one member of the minority party of the house of representatives appointed by the speaker of the house of representatives; and

(8) A representative of industry appointed by the president pro tem of the senate; and

(9) A representative of industry appointed by the speaker of the house of representatives; and

BE IT FURTHER RESOLVED that the staff of Senate Research shall provide such legal, research, clerical, technical, and bill drafting services as the task force may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the task force, its members, and any staff assigned to the committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the committee; and

BE IT FURTHER RESOLVED that the chair or vice-chair and secretary of the task force shall call an organizational meeting within fifteen days of the adoption of this resolution; and

BE IT FURTHER RESOLVED that the task force shall terminate by either a majority of members voting for termination, or by December 31, 2014, whichever occurs first; and

BE IT FURTHER RESOLVED that on the date of termination, the task force may deliver a report of findings and recommendations to the General Assembly; and

BE IT FURTHER RESOLVED that this resolution does not amend any state law to which the Department of Natural Resources is subject, and shall be interpreted to be consistent with any requirements of such state or federal law; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon, Attorney General Chris Koster, and the Director of the Department of Natural Resources.

### **INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 708**—By Sifton.

An Act to repeal section 115.279, RSMo, section 115.275 as enacted by house committee substitute for senate substitute for senate committee substitute for senate bill no. 116, ninety-seventh general assembly, first regular session, section 115.275 as enacted by house bill no. 511, ninety-second general assembly, first regular session, section 115.291 as enacted by house committee substitute for senate substitute for senate committee substitute for senate bill no. 116, ninety-seventh general assembly, first regular session, and section 115.291 as enacted by senate committee substitute for house committee substitute for house bill nos. 1524 & 2260, ninety-fifth general assembly, second regular session, and to enact in lieu thereof three new sections relating to absentee voting for emergency workers, with an emergency clause.

**SB 709**—By Wallingford.

An Act to repeal sections 42.170, 42.200, and 42.220, RSMo, and to enact in lieu thereof five new sections relating to military medal programs.

**SB 710**—By Walsh.

An Act to repeal section 565.225, RSMo, and to enact in lieu thereof one new section relating to stalking, with existing penalty provisions.

**SB 711**—By Walsh.

An Act to amend chapter 79, RSMo, by adding thereto one new section relating to the regulation of residential rental property in fourth class cities.

**SB 712**—By Walsh.

An Act to amend chapter 285, RSMo, by adding thereto ten new sections relating to domestic violence.

**SB 713**—By Emery.

An Act to repeal sections 143.111 and 408.010, RSMo, and to enact in lieu thereof two new sections relating to legal tender.

**SRB 714**—By Lager.

An Act to repeal sections 8.305, 21.485, 21.800, 21.801, 21.830, 21.910, 82.291, 105.915, 115.121, 143.811, 160.254, 160.534, 160.932, 167.194, 168.081, 168.083, 171.033, 178.930, 191.115, 192.105, 196.1035, 197.291, 208.955, 262.950, 288.131, 311.489, 374.776, 376.825, 376.826, 376.827, 376.830, 376.833, 376.836, 383.250, 393.171, 443.805, 488.2205, 542.301, 620.602, 633.410, 640.850, 643.079, 650.120, 660.425, 660.430, 660.435, 660.440, 660.445, 660.450, 660.455, 660.460, 660.465, 701.058, and 701.502, RSMo, and to enact in lieu thereof thirteen new sections for the sole purpose of repealing expired, ineffective, and obsolete statutory provisions, with a penalty provision.

**SRB 715**—By Lager.

An Act to repeal sections 3.060, 3.070, 8.700, 8.110, 8.115, 8.180, 8.200, 8.260, 8.310, 8.315, 8.316, 8.320, 8.325, 8.330, 8.340, 8.350, 8.360, 8.800, 8.830, 8.843, 33.710, 33.750, 33.752, 33.753, 33.756, 34.031, 36.030, 37.005, 37.010, 37.020, 37.110, 43.251, 64.090, 89.020, 135.326, 135.335, 135.339, 143.782, 143.790, 143.1002, 160.700, 160.545, 161.418, 161.424, 167.034, 167.122, 167.123, 169.520, 172.875, 181.110, 186.019, 189.095, 191.737, 191.850, 191.853, 191.855, 191.857, 191.858, 191.859, 191.861, 191.863, 191.865, 191.867, 192.601, 192.935, 193.075, 193.215, 196.1103, 197.312, 197.318, 197.367, 198.018, 198.026, 198.029, 198.077, 198.080, 198.087, 198.090, 198.189, 198.421, 198.428, 198.510, 198.515, 199.025, 205.960, 205.961, 205.962, 205.964, 205.965, 207.010, 207.020, 207.030, 207.070, 207.080, 208.015, 208.030, 208.041, 208.042, 208.047, 208.050, 208.060, 208.070, 208.072, 208.075, 208.080, 208.100, 208.120, 208.125, 208.130, 208.145, 208.150, 208.152, 208.154, 208.156, 208.157, 208.164, 208.165, 208.168, 208.175, 208.176, 208.180, 208.182, 208.190, 208.204, 208.210, 208.217, 208.225, 208.300, 208.325, 208.337, 208.345, 208.400, 208.405, 208.471, 208.477, 208.533, 208.606, 208.609, 208.621, 208.636, 208.780, 209.010, 209.020, 209.030, 209.050, 209.060, 209.070, 209.080, 209.090, 209.100, 209.110, 209.240, 209.251, 210.001, 210.115, 210.165, 210.166, 210.167, 210.192, 210.196, 210.254, 210.481, 210.536, 210.537, 210.543, 210.545, 210.551, 210.560, 210.720, 210.829, 210.830, 210.834, 210.843, 210.846, 210.870, 210.900, 210.950, 211.081, 211.180, 211.183, 211.455, 211.477, 217.575, 226.008, 226.805, 251.100, 251.240, 253.320, 261.010, 285.300, 288.220, 288.270, 301.020, 302.133, 302.134, 302.135, 302.137, 302.171, 302.178, 311.650, 313.210, 320.260, 324.032, 334.125, 338.314, 361.010, 376.819, 452.345, 452.346, 452.347, 452.350, 452.370, 452.416, 453.005, 453.014, 453.015, 453.026, 453.065, 453.070, 453.074, 453.077, 453.102, 453.110, 453.400, 454.400, 454.403, 454.405, 454.408, 454.415, 454.420, 454.425, 454.430, 454.432, 454.433, 454.435, 454.440, 454.445, 454.450, 454.455, 454.460, 454.465, 454.472, 454.478, 454.490, 454.495, 454.496, 454.500, 454.505, 454.513, 454.530, 454.531, 454.565, 454.600, 454.700, 454.853, 454.902, 454.1000, 454.1003, 454.1023, 454.1027, 454.1029, 483.163, 487.080, 487.150, 513.430, 516.350, 577.608, 590.040, 595.030, 595.036, 595.037, 595.060, 610.029, 610.120, 620.010, 620.483, 620.490, 620.556, 620.558, 620.560, 620.562, 620.566, 620.570, 620.572, 620.1100, 620.1580, 630.097, 632.070, 650.005, 660.010, 660.050, 660.053, 660.054, 660.055, 660.057, 660.058, 660.060, 660.062, 660.067, 660.069, 660.070, 660.075, 660.130, 660.225, 660.250, 660.255, 660.260, 660.261, 660.263, 660.265, 660.270, 660.275, 660.280, 660.285, 660.290, 660.295, 660.300, 660.305, 660.310, 660.315, 660.317, 660.320, 660.321, 660.400, 660.403, 660.405, 660.407, 660.409, 660.411, 660.414, 660.416, 660.418, 660.420, 660.523,

660.525, 660.526, 660.600, 660.603, 660.605, 660.608, 660.620, 660.690, and 701.336, RSMo, and to enact in lieu thereof three hundred forty-two new sections for the sole purpose of codifying previous executive branch reorganizations, with penalty provisions.

**SB 716**—By Brown.

An Act to amend chapter 197, RSMo, by adding thereto one new section relating to immunizations against influenza.

**SB 717**—By Brown.

An Act to repeal section 338.020, RSMo, and to enact in lieu thereof one new section relating to legally qualified federal pharmacists.

**SB 718**—By Richard.

An Act to repeal section 290.230, RSMo, and to enact in lieu thereof one new section relating to volunteer labor on public works projects.

**SB 719**—By Kehoe.

An Act to repeal sections 105.454 and 171.181, RSMo, and to enact in lieu thereof two new sections relating to school purchases, with existing penalty provisions.

**SB 720**—By Justus.

An Act to repeal section 210.027, RSMo, and to enact in lieu thereof one new section relating to child care providers.

**SB 721**—By Justus.

An Act to repeal section 115.289, RSMo, section 115.275 as enacted by house committee substitute for senate substitute for senate committee substitute for senate bill no. 116, ninety-seventh general assembly, first regular session, and section 115.275 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 511, ninety-second general assembly, first regular session, and to enact in lieu thereof three new sections relating to voting in advance of an election.

**SB 722**—By Justus.

An Act to amend chapter 174, RSMo, by adding thereto one new section relating to higher education tuition policy, with an emergency clause.

**SB 723**—By Parson.

An Act to repeal section 8.420, RSMo, and to enact in lieu thereof one new section relating to revenue bonds.

**SB 724**—By Parson.

An Act to repeal sections 400.9-501 and 400.9-516, RSMo, and to enact in lieu thereof two new sections relating to the filing of fraudulent documents, with penalty provisions.

Senator Richard requested unanimous consent of the Senate to suspend Senate Rule No. 49 for the purpose of printing **SRB 715**, which request was granted.

**COMMITTEE APPOINTMENTS**

President Pro Tem Dempsey appointed the following escort committee pursuant to **HCR 1**: Senators: Curls, Justus, Keaveny, Lager, Munzlinger, Rupp, Schaefer, Schmitt, Sifton and Walsh.

President Pro Tem Dempsey appointed the following escort committee pursuant to **HCR 2**: Senators: Brown, Curls, Justus, Keaveny, Lamping, Nieves, Pearce, Sifton, Walsh and Wasson.

**REFERRALS**

President Pro Tem Dempsey referred **SCR 18** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

**INTRODUCTIONS OF GUESTS**

Senator Curls introduced to the Senate, Sarah Trevathan, University of Missouri; and Harold Norman, III, Missouri State University.

Senator Brown introduced to the Senate, the Physician of the Day, George P. Hubbell, M.D., Osage Beach.

Senator Sater introduced to the Senate, David Vaughn, Springfield.

Senator Munzlinger introduced to the Senate, State Senator Greg Treat, Oklahoma City, Oklahoma.

Senator Walsh introduced to the Senate, her daughter, Kathleen, St. Louis; and niece, Private First Class Bridget Leake, Hannibal.

On motion of Senator Richard, the Senate adjourned under the rules.

**SENATE CALENDAR**


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FIFTH DAY–WEDNESDAY, JANUARY 15, 2014

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**FORMAL CALENDAR****SECOND READING OF SENATE BILLS**

SB 531-Nasheed

SB 532-Nasheed

SB 533-Nasheed

SB 534-Sifton

SB 535-Sifton

SB 536-Sifton

SB 537-Rupp

SB 538-Keaveny and Holsman

SB 539-Keaveny and Holsman

SB 540-Keaveny

SB 541-Munzlinger

SB 542-Munzlinger

SB 543-Munzlinger

SB 544-Lamping

SB 545-Lamping

SB 546-Lamping, et al

SB 547-Chappelle-Nadal	SB 587-Kraus
SB 548-Chappelle-Nadal	SB 588-Kraus
SB 549-Chappelle-Nadal	SB 589-Brown
SB 550-Sater	SB 590-Brown
SB 551-Sater	SB 591-Sater
SB 552-Sater	SB 593-Sater
SB 553-Emery	SB 594-Libla
SB 554-Cunningham	SB 595-Walsh
SB 555-Nasheed	SB 596-Holsman
SB 556-Nasheed	SB 597-Holsman
SB 557-Nasheed	SB 598-Holsman
SB 558-Sifton	SB 599-Kraus
SB 559-Sifton	SB 600-Sater
SB 560-Sifton	SB 601-Holsman
SB 561-Munzlinger	SB 602-Holsman
SB 562-Chappelle-Nadal	SB 603-Holsman
SB 563-Chappelle-Nadal	SB 604-Holsman
SB 564-Chappelle-Nadal	SB 605-Dixon
SB 565-Nasheed	SB 606-Dixon
SB 566-Sifton	SB 607-Dixon
SB 567-Chappelle-Nadal	SB 608-Holsman
SB 568-Chappelle-Nadal	SB 609-Rupp
SB 569-Chappelle-Nadal	SB 610-Rupp
SB 570-Chappelle-Nadal	SB 611-Schaaf
SB 571-Chappelle-Nadal	SB 612-Schaaf
SB 572-Chappelle-Nadal	SB 613-Nieves, et al
SB 573-Munzlinger	SB 614-Dixon
SB 574-Munzlinger	SB 615-Dixon
SB 575-Dixon	SB 616-Nasheed
SB 577-Kraus	SB 617-Rupp
SB 578-Kraus	SB 618-Nieves
SB 579-Holsman	SB 619-Nieves
SB 580-Kraus	SB 620-Nieves
SB 581-Rupp	SB 621-Dixon
SB 582-Rupp	SB 622-Nieves
SB 583-Dixon	SB 623-Nieves
SB 584-Dixon	SB 624-LeVota
SB 585-Dixon	SB 625-Sater and Munzlinger
SB 586-Kraus	SB 626-LeVota
	SB 627-LeVota

SB 628-Schaaf	SB 668-Silvey
SB 629-Kraus	SB 669-Schaaf
SB 630-Wallingford	SB 670-Sater
SB 631-Wallingford	SB 671-Sater
SB 632-Parson	SB 672-Parson
SB 633-Parson	SB 673-Kehoe and Wallingford
SB 634-Parson	SB 674-Kehoe
SB 635-Silvey and Holsman	SB 675-Kehoe
SB 636-LeVota	SB 676-Curls
SB 637-Rupp	SB 677-Curls
SB 638-Romine	SB 678-Curls
SB 639-Brown	SB 679-Curls
SB 640-Emery	SB 680-Curls
SB 641-Emery	SB 681-Curls
SB 642-Romine	SB 682-Curls
SB 643-Rupp	SB 683-Curls
SB 644-LeVota	SB 684-Holsman
SB 645-LeVota	SB 685-LeVota
SB 646-LeVota	SB 686-LeVota
SB 647-Sifton	SB 687-LeVota
SB 648-LeVota	SB 688-LeVota
SB 649-Lager	SB 689-Schmitt, et al
SB 650-Lager	SB 690-Wasson
SB 651-Lager	SB 691-Wasson
SB 652-Lager	SB 692-Wasson
SB 653-Lager	SB 693-Parson
SB 654-Keaveny	SB 694-Cunningham
SB 655-Kraus	SB 695-Keaveny
SB 656-Kraus	SB 696-Schaefer
SB 657-Kraus	SB 697-Schaefer
SB 658-Wallingford	SB 698-Justus
SB 659-Wallingford	SB 699-Pearce
SB 660-Wallingford	SB 700-Sater
SB 661-LeVota	SB 701-Lager
SB 662-Kraus	SB 702-Lager
SB 663-Munzlinger	SB 703-Lager
SB 664-Brown	SB 704-Lager
SB 665-LeVota	SB 705-Lager
SB 666-Schmitt	SB 706-Cunningham
SB 667-Schmitt	SB 707-Wasson

SB 708-Sifton  
SB 709-Wallingford  
SB 710-Walsh  
SB 711-Walsh  
SB 712-Walsh  
SB 713-Emery  
SRB 714-Lager  
SRB 715-Lager  
SB 716-Brown  
SB 717-Brown  
SB 718-Richard  
SB 719-Kehoe  
SB 720-Justus  
SB 721-Justus

SB 722-Justus  
SB 723-Parson  
SB 724-Parson  
SJR 32-Chappelle-Nadal  
SJR 33-Chappelle-Nadal  
SJR 34-Emery  
SJR 35-Nasheed  
SJR 36-Schaefer and Richard  
SJR 37-Dixon  
SJR 38-Nieves  
SJR 39-Dixon  
SJR 40-Curls  
SJR 41-Curls  
SJR 42-Schmitt

#### INFORMAL CALENDAR

#### RESOLUTIONS

To be Referred

SCR 19-Romine

#### MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Chappelle-Nadal

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# Journal of the Senate

## SECOND REGULAR SESSION

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**FIFTH DAY—WEDNESDAY, JANUARY 15, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“May the Lord give strength to your people; May the Lord bless his people with peace.” (Psalm 28)

Blessed Lord, we are a people to whom much has been given and from whom much is expected. Our lives are many times hectic with demands, meetings, research and decisions that must be attended to. Provide us with strength and energy to do what is required and may we have a peace within that sustains us through it all. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Sater offered Senate Resolution No. 1092, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Wayne Chapin, Mount Vernon, which was adopted.

Senator Kraus offered Senate Resolution No. 1093, regarding the Sixty-seventh Wedding Anniversary of Mr. and Mrs. Melvin Matthews, Oak Grove, which was adopted.

Senator LeVota offered Senate Resolution No. 1094, regarding Sean Patrick Ira Crotty, which was adopted.

## CONCURRENT RESOLUTIONS

Senator Walsh offered the following concurrent resolution:

### SENATE CONCURRENT RESOLUTION NO. 20

Relating to recognition of September 26th as Mesothelioma Awareness Day in Missouri

WHEREAS, mesothelioma is a rare form of cancer of the smooth lining of the chest, lungs, heart, and abdomen that is difficult to detect in its early stages and may be associated with many other conditions; however, when vital organs are involved or disease is identified outside of the operative field, surgery is no longer an option and patients are referred to chemotherapy or clinical trials; and

WHEREAS, approximately 2,500 to 3,000 cases of mesothelioma are reported annually in the United States, and because it occurs in such a small number of patients, mesothelioma is often referred to as an orphan disease, but the number of affected persons is steadily rising every year in North America, Europe, Australia, and Asia; and

WHEREAS, according to the American Cancer Society, mesothelioma is caused by exposure to asbestos fibers and characterized by a latency period that usually lasts for decades, although the exact method by which asbestos causes the disease is not known; and

WHEREAS, the American Cancer Society indicates that “most people who develop mesothelioma have worked on jobs where they inhaled asbestos particles, or have been exposed to asbestos dust and fibers in other ways, such as by washing the clothes of a family member who worked with asbestos, or by home renovation using asbestos products”; and

WHEREAS, due to the long period between exposure and diagnosis, mesothelioma results in a life expectancy of four to eighteen months after onset, and nearly 3,000 persons succumb to the disease each year; and

WHEREAS, to promote public awareness of the dangers of this deadly cancer and of asbestos exposure, the need for treatment protocols, and funding for research, Mesothelioma Awareness Day was started by Meso Foundation volunteers in 2004, and September 26th was designated as the day to (i) remember the victims of mesothelioma, (ii) publicize the dangers of asbestos exposure, (iii) offer hope for those who suffer with the disease today, and (iv) focus on and highlight the need for research support and a cure for mesothelioma; and

WHEREAS, on September 26th each year, citizens across the nation are encouraged to participate in CURE MESOTHELIOMA public awareness programs and events, and to sponsor or organize fundraising campaigns in the name of MESOTHELIOMA AWARENESS; and

WHEREAS, Mesothelioma Awareness Day provides an appropriate venue to communicate an important message to the public about this deadly cancer to ensure affected persons are accurately diagnosed and treated and connected to a support system:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby designate September 26th of every year as Mesothelioma Awareness Day in Missouri; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send properly inscribed copies of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

Senator Pearce offered the following concurrent resolution:

### SENATE CONCURRENT RESOLUTION NO. 21

WHEREAS, the state of Missouri has a long history of supporting the military in their mission to protect the American people; and

WHEREAS, Whiteman Air Force Base, home to the 442nd Fighter Wing, is dedicated to delivering dynamic air power for the United States and acting as both a powerful deterrent to enemies and as an assurance to American citizens and allies; and

WHEREAS, the 442nd Fighter Wing has a rich legacy of defending the United States and its allies through its involvement in World War II, the Cold War, Operation Desert Storm, Operation Enduring Freedom and Operation Iraqi Freedom; and

WHEREAS, the mission of the 442nd is to maintain and support the A-10 Thunderbolt II at the highest level of combat readiness; and

WHEREAS, the A-10 Thunderbolt II is the Air Force's only fighter plane designed for close-air support providing critical front-line support for American forces on the ground and conducting combat search and rescue missions; and

WHEREAS, the A-10 Thunderbolt II is vital to providing Missouri civilian and military jobs as the 442nd Fighter Wing is the largest tenant unit at Whiteman Air Force Base and has a payroll of around \$40 million dollars, a personnel force of 1,100 people, and an economic impact of millions of dollars in the local community:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby strongly urge the United States Air Force not to eliminate the A-10 Thunderbolt II aircraft fleet; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Secretary of Defense, the Secretary of the Air Force, and each member of Missouri's Congressional delegation.

**Senators Cunningham and Libla offered the following concurrent resolution:**

**SENATE CONCURRENT RESOLUTION NO. 22**

WHEREAS, in 1959, Senate Resolution No. 33 and House Resolution No. 19, recognizing the importance of the extraordinary manifestations of nature and recreational attributes of the Current and Eleven Point Riverways, requested Congress to enact legislation to preserve the natural resources and provide recreational development and other improvements for the public use; and

WHEREAS, in 1964, Congress answered Missouri's request by enacting legislation to establish the Ozark National Scenic Riverways; and

WHEREAS, the riverways within the Ozark National Scenic Riverways are, and remain, public highways of the State of Missouri, subject to concurrent jurisdiction between the state of Missouri and the United States under Missouri Senate Bill No. 362 enacted in 1971; and

WHEREAS, in 2005, the National Park Service began researching for the purpose of drafting a new general management plan for the Ozark National Scenic Riverways; and

WHEREAS, the National Park Service is advocating the "Preferred Alternative" option of the general management plan; and

WHEREAS, the goal of the "Preferred Alternative" option of the general management plan is to shut down public access points to riverways, eliminate motorized boat traffic from certain areas, further restrict boat motor horsepower in other areas, close several gravel bars, and propose that additional areas be designated as federal wilderness; and

WHEREAS, the general management plan will guide decisions related to the Ozark National Scenic Riverways for the next 15 to 20 years; and

WHEREAS, tourism is one of the most critical components of our rural economy; and

WHEREAS, thousands of hikers, campers, boaters, hunters, fishermen, and horseback riders visit these areas annually generating irreplaceable tax revenue; and

WHEREAS, any further limitations on the access to these riverways would severely impact this local economy; and

WHEREAS, the Missouri Conservation Commission is charged with the control, management, restoration, conservation, and regulation of bird, fish, game, forestry, and all wildlife resources of the state, including hatcheries, sanctuaries, refuges, reservations, and all other property owned, acquired, or used for such purposes; and

WHEREAS, in September of 2009, the Missouri Department of Conservation recommended that "hunting, fishing, and trapping continue to be allowed through the Ozark National Scenic Riverways except in highly developed areas where a reasonable safety zone for public protection may be required";

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby strongly urge the National Park Service not to take action on the general management plan; and

BE IT FURTHER RESOLVED that the Missouri General Assembly does not find that the "Preferred Alternative" plan advocated by the

National Park Service uses the land and riverways as the State of Missouri originally intended; and

BE IT FURTHER RESOLVED that the Missouri General Assembly urges the Department of the Interior to enter into negotiations with the State of Missouri, Department of Conservation for the return of the Ozark National Scenic Riverways to the State of Missouri so that the land will continue to be used for its original and intended purpose; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President Pro Tempore of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the United States Department of the Interior, each member of the Missouri Congressional delegation, the Director of the National Park Service, the Superintendent of the Ozark National Scenic Riverways, the Director of the Missouri Department of Conservation, and Governor Jay Nixon.

### INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

**SB 725**—By Nieves.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of the Marc Perez memorial bridge.

**SB 726**—By Chappelle-Nadal.

An Act to repeal section 161.022, RSMo, and to enact in lieu thereof one new section relating to term limits for state board of education members.

**SB 727**—By Chappelle-Nadal.

An Act to amend chapter 144, RSMo, by adding thereto one new section relating to a sales and use tax exemption for farmers' markets.

**SB 728**—By Sifton.

An Act to repeal sections 115.155 and 115.631, RSMo, and to enact in lieu thereof two new sections relating to election offenses, with penalty provisions.

**SB 729**—By Romine.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to a tax credit for donations to innovation campuses.

**SJR 43**—By Lamping.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the use of sales and use tax revenue for transportation.

### REFERRALS

President Pro Tem Dempsey referred **SCR 19** and **SRM 1** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

### SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

**SB 531**—Small Business, Insurance and Industry.

**SB 532**—Seniors, Families and Pensions.

**SB 533**—Agriculture, Food Production and Outdoor Resources.

**SB 534**—Education.

**SB 535**—Education.

- SB 536**—Rules, Joint Rules, Resolutions and Ethics.
- SB 537**—Small Business, Insurance and Industry.
- SB 538**—Education.
- SB 539**—Education.
- SB 540**—Transportation and Infrastructure.
- SB 541**—Jobs, Economic Development and Local Government.
- SB 542**—Judiciary and Civil and Criminal Jurisprudence.
- SB 543**—Ways and Means.
- SB 544**—Transportation and Infrastructure.
- SB 545**—Education.
- SB 546**—Small Business, Insurance and Industry.
- SB 547**—Education.
- SB 548**—Judiciary and Civil and Criminal Jurisprudence.
- SB 549**—Judiciary and Civil and Criminal Jurisprudence.
- SB 550**—Governmental Accountability and Fiscal Oversight.
- SB 551**—Judiciary and Civil and Criminal Jurisprudence.
- SB 552**—Seniors, Families and Pensions.
- SB 553**—Veterans' Affairs and Health.
- SB 554**—General Laws.
- SB 555**—Rules, Joint Rules, Resolutions and Ethics.
- SB 556**—General Laws.
- SB 557**—Jobs, Economic Development and Local Government.
- SB 558**—Ways and Means.
- SB 559**—Small Business, Insurance and Industry.
- SB 560**—Education.
- SB 561**—Small Business, Insurance and Industry.
- SB 562**—Education.
- SB 563**—Judiciary and Civil and Criminal Jurisprudence.
- SB 564**—Seniors, Families and Pensions.
- SB 565**—General Laws.
- SB 566**—Education.
- SB 567**—Seniors, Families and Pensions.
- SB 568**—Jobs, Economic Development and Local Government.
- SB 569**—Financial and Governmental Organizations and Elections.
- SB 570**—Seniors, Families and Pensions.

**MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

Governor of Missouri  
Jefferson City  
65102

January 14, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Lisa J. Crandall as a member of the Missouri Planning Council for Development Disabilities, submitted to you on January 8, 2014. Line 1 should be amended to read:

Lisa Jan Taylor Crandall, 607 Caspian Circle, Ashland, Boone County, Missouri 65010, as a

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

Governor of Missouri  
Jefferson City  
65102

January 14, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Wendy D. Davis as a member of the Missouri Planning Council for Development Disabilities, submitted to you on January 8, 2014. Line 1 should be amended to read:

Wendy D. Davis, 321 Ryefield Ridge, Columbia, Boone County, Missouri

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

Governor of Missouri  
Jefferson City  
65102

January 14, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Douglas R. Kennedy as a member of the Coordinating for Higher Education, submitted to you on January 8, 2014, Line 2 should be amended to read:

Missouri 63901, as a member of the Coordinating Board for Higher Education, for a term

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

Governor of Missouri  
Jefferson City  
65102

January 14, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Gary Rogles as a member of the Board of Boiler and Pressure Vessel Rules, submitted to you on January 8, 2014. Line 1 should be amended to read:

Gary Rogles, 10993 Edgemoor Terrace, Saint Louis, Saint Louis County, Missouri 63123, as a

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

Governor of Missouri  
Jefferson City  
65102

January 14, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Jennifer Vernon as a member of the Child Abuse and Neglect Review Board, submitted to you on January 8, 2014. Line 1 should be amended to read:

Jennifer L. Schoonover, 9227 Southwest Josh Ridge Road, Trimble, Clinton County, Missouri

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

### **REFERRALS**

President Pro Tem Dempsey referred the above addendums to the Committee on Gubernatorial Appointments.

### **COMMUNICATIONS**

President Pro Tem Dempsey submitted the following:

January 13, 2014

Honorable Tom Dempsey  
President Pro Tem  
State Capitol, Room 326  
Jefferson City, MO 65101

Dear President Pro Tem,

With this letter I hereby resign from the Missouri Tourism Commission.

Thank you for the opportunity to serve you in this capacity.

Yours truly,  
/s/ Eric S. Schmitt  
Eric S. Schmitt

### **INTRODUCTIONS OF GUESTS**

Senator Kehoe introduced to the Senate, Dr. Deanne Fisher, Principal; Dr. Gretchen Guitard, Assistant Superintendent; Gara Loskill, JCPS Characterplus Coordinator; and students and supporters Marcus Woodruff, Earl Fuller, Blair Brunnert, Sandra Boeckman, Lauren Pierce and Jana Holsman, Jefferson City Academic Center.

Senator Nieves introduced to the Senate, Marian Perez, Wildwood.

On motion of Senator Richard, the Senate adjourned under the rules.

### **SENATE CALENDAR**

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SIXTH DAY– THURSDAY, JANUARY 16, 2014

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### **FORMAL CALENDAR**

### **SECOND READING OF SENATE BILLS**

SB 571-Chappelle-Nadal  
SB 572-Chappelle-Nadal

SB 573-Munzlinger  
SB 574-Munzlinger

SB 575-Dixon	SB 617-Rupp
SB 577-Kraus	SB 618-Nieves
SB 578-Kraus	SB 619-Nieves
SB 579-Holsman	SB 620-Nieves
SB 580-Kraus	SB 621-Dixon
SB 581-Rupp	SB 622-Nieves
SB 582-Rupp	SB 623-Nieves
SB 583-Dixon	SB 624-LeVota
SB 584-Dixon	SB 625-Sater and Munzlinger
SB 585-Dixon	SB 626-LeVota
SB 586-Kraus	SB 627-LeVota
SB 587-Kraus	SB 628-Schaaf
SB 588-Kraus	SB 629-Kraus
SB 589-Brown	SB 630-Wallingford
SB 590-Brown	SB 631-Wallingford
SB 591-Sater	SB 632-Parson
SB 593-Sater	SB 633-Parson
SB 594-Libla	SB 634-Parson
SB 595-Walsh	SB 635-Silvey and Holsman
SB 596-Holsman	SB 636-LeVota
SB 597-Holsman	SB 637-Rupp
SB 598-Holsman	SB 638-Romine
SB 599-Kraus	SB 639-Brown
SB 600-Sater	SB 640-Emery
SB 601-Holsman	SB 641-Emery
SB 602-Holsman	SB 642-Romine
SB 603-Holsman	SB 643-Rupp
SB 604-Holsman	SB 644-LeVota
SB 605-Dixon	SB 645-LeVota
SB 606-Dixon	SB 646-LeVota
SB 607-Dixon	SB 647-Sifton
SB 608-Holsman	SB 648-LeVota
SB 609-Rupp	SB 649-Lager
SB 610-Rupp	SB 650-Lager
SB 611-Schaaf	SB 651-Lager
SB 612-Schaaf	SB 652-Lager
SB 613-Nieves, et al	SB 653-Lager
SB 614-Dixon	SB 654-Keaveny
SB 615-Dixon	SB 655-Kraus
SB 616-Nasheed	SB 656-Kraus



SB 657-Kraus	SB 697-Schaefer
SB 658-Wallingford	SB 698-Justus
SB 659-Wallingford	SB 699-Pearce
SB 660-Wallingford	SB 700-Sater
SB 661-LeVota	SB 701-Lager
SB 662-Kraus	SB 702-Lager
SB 663-Munzlinger	SB 703-Lager
SB 664-Brown	SB 704-Lager
SB 665-LeVota	SB 705-Lager
SB 666-Schmitt	SB 706-Cunningham
SB 667-Schmitt	SB 707-Wasson
SB 668-Silvey	SB 708-Sifton
SB 669-Schaaf	SB 709-Wallingford
SB 670-Sater	SB 710-Walsh
SB 671-Sater	SB 711-Walsh
SB 672-Parson	SB 712-Walsh
SB 673-Kehoe and Wallingford	SB 713-Emery
SB 674-Kehoe	SRB 714-Lager
SB 675-Kehoe	SRB 715-Lager
SB 676-Curls	SB 716-Brown
SB 677-Curls	SB 717-Brown
SB 678-Curls	SB 718-Richard
SB 679-Curls	SB 719-Kehoe
SB 680-Curls	SB 720-Justus
SB 681-Curls	SB 721-Justus
SB 682-Curls	SB 722-Justus
SB 683-Curls	SB 723-Parson
SB 684-Holsman	SB 724-Parson
SB 685-LeVota	SB 725-Nieves
SB 686-LeVota	SB 726-Chappelle-Nadal
SB 687-LeVota	SB 727-Chappelle-Nadal
SB 688-LeVota	SB 728-Sifton
SB 689-Schmitt, et al	SB 729-Romine
SB 690-Wasson	SJR 32-Chappelle-Nadal
SB 691-Wasson	SJR 33-Chappelle-Nadal
SB 692-Wasson	SJR 34-Emery
SB 693-Parson	SJR 35-Nasheed
SB 694-Cunningham	SJR 36-Schaefer and Richard
SB 695-Keaveny	SJR 37-Dixon
SB 696-Schaefer	SJR 38-Nieves

SJR 39-Dixon  
SJR 40-Curls  
SJR 41-Curls

SJR 42-Schmitt  
SJR 43-Lamping

## INFORMAL CALENDAR

### RESOLUTIONS

To be Referred

SCR 20-Walsh  
SCR 21-Pearce

SCR 22-Cunningham and Libla

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# Journal of the Senate

## SECOND REGULAR SESSION

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**SIXTH DAY—THURSDAY, JANUARY 16, 2014**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“I will give thanks to the Lord with my whole heart.” (Psalm 8:1)

As we finish our first full week and return to our homes we are so thankful for all that You provide from Your gracious hand, O Lord. “Watch our going out and coming in” so we may arrive safely and enjoy our time with loved ones and be found faithful and attentive to Your Holy Word. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

Absent—Senators—None

Absent with leave—Senator Lager—1

Vacancies—1

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Sater offered Senate Resolution No. 1095, regarding Mike Wilks, Monett, which was adopted.

Senator Sater offered Senate Resolution No. 1096, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Louis Ray Burleson, Shell Knob, which was adopted.

Senator Sater offered Senate Resolution No. 1097, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Daniel Carr, Everton, which was adopted.

Senator Sater offered Senate Resolution No. 1098, regarding Vicky (England) Easley, Wheaton, which was adopted.

Senator Sater offered Senate Resolution No. 1099, regarding McDonald County R-I School District Advanced Placement study program, which was adopted.

Senator Sater offered Senate Resolution No. 1100, regarding the Fiftieth Anniversary of Hood's Service Center, Incorporated, which was adopted.

Senator Sater offered Senate Resolution No. 1101, regarding Ross and Vicki Babbitt, Pineville, which was adopted.

Senator Sater offered Senate Resolution No. 1102, regarding Captain Jeremy S. Gracy, which was adopted.

Senator Sater offered Senate Resolution No. 1103, regarding James Alan Boyer, which was adopted.

Senator Sater offered Senate Resolution No. 1104, regarding Brantley Kyzer Dean Allen, which was adopted.

Senator Sater offered Senate Resolution No. 1105, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Ted Bookout, Branson, which was adopted.

Senator Cunningham offered Senate Resolution No. 1106, regarding Red Rock Coffee Company, Rogersville, which was adopted.

Senator Cunningham offered Senate Resolution No. 1107, regarding Fay King, Marshfield, which was adopted.

Senator Libla offered Senate Resolution No. 1108, regarding Steve Halter, Poplar Bluff, which was adopted.

### **CONCURRENT RESOLUTIONS**

Senators Chappelle-Nadal and Lamping offered the following concurrent resolution:

#### **SENATE CONCURRENT RESOLUTION NO. 23**

WHEREAS, seventy years ago the United States government hired St. Louis based company Mallinckrodt Chemical Works to purify uranium for use in nuclear weapons during wartimes; and

WHEREAS, from 1946 until 1957, Mallinckrodt Chemical Works transported and dumped the radioactive chemical waste produced from the uranium purification process at Coldwater Creek near the St. Louis airport; and

WHEREAS, some of the radioactive chemical wastes were later trucked from Coldwater Creek to Latty Avenue in Hazelwood for drying and shipping to Colorado for reprocessing; and

WHEREAS, in 1973, some of the radioactive chemical wastes located on Latty Avenue were transported and illegally dumped in the West Lake Landfill located in Bridgeton, next to Earth City, in the Missouri River floodplain; and

WHEREAS, the West Lake Landfill was not designed to store radioactive chemical waste; and

WHEREAS, the radioactive chemical waste has contaminated land and caused erosion of soil from the West Lake Landfill berm; and

WHEREAS, the radioactive chemical waste poses significant health risks to citizens in the area; and

WHEREAS, in 1990, the Environmental Protection Agency recognized the significant health risks posed to citizens in the area and placed the West Lake Landfill on the Superfund National Priorities List; and

WHEREAS, in 1997, Congress transferred responsibility from the U.S. Department of Energy to the United States Army Corps of Engineers Formerly Utilized Sites Remedial Action Program for land remediation efforts; and

WHEREAS, the West Lake Landfill was not transferred to the United States Army Corps of Engineers Formerly Utilized Sites Remedial Action Program, but remained the responsibility of the Environmental Protection Agency because it had been placed on the Superfund National Priorities List; and

WHEREAS, in 2008, the Environmental Protection Agency issued a Record of Decision stating that the radioactive chemical wastes were to remain in the landfill, with merely a cover of rocks, construction rubble, and clay, and no liner to protect the wastes from groundwater leaching; and

WHEREAS, in 2012, an underground fire was discovered at the West Lake Landfill, and the fire has remained uncontrolled since that time; and

WHEREAS, the United States Army Corps of Engineers Formerly Utilized Sites Remedial Action Program would be better situated to address the West Lake Landfill remediation efforts given their experience in remediation efforts across St. Louis City and St. Louis County:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby request the United States Congress to transfer the authority for the remediation of the West Lake Landfill radioactive chemical wastes from the Environmental Protection Agency to the United States Army Corps of Engineers Formerly Utilized Sites Remedial Action Program; and

BE IT FURTHER RESOLVED that the radioactive chemical wastes be excavated from the Missouri river flood plain and be transported to a licensed radioactive waste facility, away from water and away from people; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the Majority and Minority Leaders of the United States Senate and House of Representatives, and each member of the Missouri Congressional delegation.

### **INTRODUCTION OF BILLS**

The following Bills and Joint Resolution were read the 1st time and ordered printed:

**SB 730**—By Nasheed.

An Act to amend chapter 161, RSMo, by adding thereto one new section relating to school accreditation.

**SB 731**—By Nasheed.

An Act to repeal sections 82.1025, 82.1027, 82.1028, 82.1029, and 82.1030, RSMo, and to enact in lieu thereof five new sections relating to property regulations in certain cities and counties.

**SB 732**—By Keaveny.

An Act to repeal sections 590.700 and 650.056, RSMo, and to enact in lieu thereof six new sections relating to criminal procedures.

**SB 733**—By Schaefer.

An Act to repeal sections 143.011, 143.071, 143.171, RSMo, and to enact in lieu thereof three new sections relating to income taxes.

**SB 734**—By Cunningham.

An Act to repeal section 394.120, RSMo, and to enact in lieu thereof one new section relating to electric cooperatives.

**SB 735**—By Brown.

An Act to amend chapter 419, RSMo, by adding thereto one new section relating to campgrounds, with a penalty provision.

**SB 736**—By Sater.

An Act to repeal sections 208.022 and 208.040, RSMo, and to enact in lieu thereof three new sections relating to temporary assistance for needy families benefits.

**SB 737**—By Walsh.

An Act to repeal section 575.021, RSMo, and to enact in lieu thereof one new section relating to obstruction of an ethics investigation, with existing penalty provisions.

**SB 738**—By Walsh.

An Act to repeal sections 130.016, 130.036, 130.037, 130.049, 130.050, 130.054, and 130.086, RSMo, section 130.011 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.011 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, section 130.021 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, section 130.021 as enacted by senate bill no. 485, ninety-fifth general assembly, first regular session, section 130.026 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.026 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bill no. 262, eighty-eighth general assembly, first regular session, section 130.031 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, section 130.031 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, section 130.041 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.041 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, section 130.046 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.046 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, section 130.057 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 130.057 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 676 merged with conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, and to enact in lieu thereof thirteen new sections relating to campaign finance.

**SB 739**—By Romine.

An Act to repeal sections 208.010, 208.151, 208.631, 208.670, 208.950, 208.952, 208.990, and 208.991, RSMo, and to enact in lieu thereof seventeen new sections relating to the MO HealthNet program.

**SB 740**—By Lamping, Richard, Emery, Schaaf, Brown, Kehoe and Nieves.

An Act to repeal sections 135.350, 135.352, 253.550, 253.557, and 253.559, RSMo, and to enact in lieu thereof five new sections relating to tax credits.

**SB 741**—By Rupp.

An Act to repeal sections 313.800, 313.812, 313.817, and 313.830, RSMo, and to enact in lieu thereof four new sections relating to financial transactions of gaming establishments, with penalty provisions.

**SB 742**—By Schmitt.

An Act to amend chapter 135, RSMo, by adding thereto six new sections relating to an air export incentive, with an emergency clause.

**SB 743**—By Schmitt.

An Act to repeal section 135.800, RSMo, and to enact in lieu thereof one new section relating to tax incentives.

**SB 744**—By Nieves.

An Act to repeal sections 21.750, 571.030, 571.070, 571.101, 571.107, 571.117, and 590.010, RSMo, and to enact in lieu thereof twelve new sections relating to firearms, with existing penalty provisions.

**SJR 44**—By Schaefer.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article X of the Constitution of Missouri, by adding thereto one new section relating to a refund of excess state revenues.

### **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Jerald A. Dickey, Republican, as a member of the State Board of Embalmers and Funeral

Directors;

Also,

Ryan G. McKenna, as Director of the Department of Labor and Industrial Relations;

Also,

Julie T. Donelon and Carol R. Fischer, as members of the Child Abuse and Neglect Review Board;

Also,

Mariann Burnetti-Atwell, as a member of the State Committee of Psychologists;

Also,

Sharon E. Sorrell and Kathie A. Miller, as members of the State Committee for Social Workers;

Also,

Timothy J. Viox, Independent, as a member of the Amusement Ride Safety Board;

Also,

Alan H. Wells, as a member of the Advisory Committee for 911 Service Oversight; and

David L. Gourley, Republican, as a member of the Missouri Veterinary Medical Board.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

### **SECOND READING OF SENATE BILLS**

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

**SB 571**—Commerce, Consumer Protection, Energy and the Environment.

**SB 572**—Veterans' Affairs and Health.

**SB 573**—Jobs, Economic Development and Local Government.

**SB 574**—Jobs, Economic Development and Local Government.

**SB 575**—Governmental Accountability and Fiscal Oversight.

**SB 577**—Jobs, Economic Development and Local Government.

**SB 578**—Financial and Governmental Organizations and Elections.

**SB 579**—Commerce, Consumer Protection, Energy and the Environment.

**SB 580**—Financial and Governmental Organizations and Elections.

**SB 581**—Transportation and Infrastructure.

**SB 582**—Veterans' Affairs and Health.

**SB 583**—Judiciary and Civil and Criminal Jurisprudence.

**SB 584**—Ways and Means.

**SB 585**—Judiciary and Civil and Criminal Jurisprudence.

**SB 586**—Transportation and Infrastructure.

**SB 587**—Transportation and Infrastructure.

**SB 588**—Transportation and Infrastructure.

**SB 589**—Small Business, Insurance and Industry.

**SB 590**—Governmental Accountability and Fiscal Oversight.

**SB 591**—Agriculture, Food Production and Outdoor Resources.

**SB 593**—Financial and Governmental Organizations and Elections.

**SB 594**—Transportation and Infrastructure.

**SB 595**—Education.

**SB 596**—Transportation and Infrastructure.

**SB 597**—Transportation and Infrastructure.



**SB 598**—Commerce, Consumer Protection, Energy and the Environment.

**SB 599**—General Laws.

**SB 600**—Transportation and Infrastructure.

**SB 601**—Commerce, Consumer Protection, Energy and the Environment.

**SB 602**—Commerce, Consumer Protection, Energy and the Environment.

**SB 603**—Education.

**SB 604**—Transportation and Infrastructure.

**SB 605**—Education.

**SB 606**—Small Business, Insurance and Industry.

**SB 607**—Ways and Means.

**SB 608**—Progress and Development.

**SB 609**—Small Business, Insurance and Industry.

**SB 610**—Financial and Governmental Organizations and Elections.

**SB 611**—Veterans' Affairs and Health.

**SB 612**—Ways and Means.

**SB 613**—General Laws.

**SJR 32**—Education.

**SJR 33**—Jobs, Economic Development and Local Government.

**SJR 34**—Judiciary and Civil and Criminal Jurisprudence.

**SJR 35**—Financial and Governmental Organizations and Elections.

## **SECOND READING OF CONCURRENT RESOLUTIONS**

The following concurrent resolution was read the 2nd time and referred to the Committee indicated:

**SCR 20**—Rules, Joint Rules, Resolutions and Ethics.

## **REFERRALS**

President Pro Tem Dempsey referred **SCR 21** and **SCR 22** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

## **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate pursuant to **HCR 1**.  
Representatives: Black, Hodges, Lant, Mayfield, Miller, Norr, Pierson, Rhoads, Solon, and Swan.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate pursuant

to **HCR 2**. Representatives: Conway (10), Cornejo, Cox, Crawford, Elmer, Leara, Mitten, Roorda, Schieffer, Smith (85).

## COMMUNICATIONS

Senator Justus submitted the following:

January 15, 2014

Charmaine Smith – Chairperson of the Board of Directors

Missouri Children's Trust Fund

301 West High Street

Jefferson City, Missouri 65102

Fax Number 573-751-0254

*VIA FACSIMILE*

Dear Ms. Smith:

Please consider this correspondence to be my resignation from my position on the board of directors of the Missouri Children's Trust Fund effective immediately. While I hold the Board in high regard and have valued my time on it, it has become impossible to devote adequate time to it given my other responsibilities.

Pursuant to the provisions of section 210.170, Senator Dempsey, the President Pro-Tem of the Missouri Senate, will appoint my successor.

Sincerely,

/s/ Jolie L. Justus

Jolie Justus

## INTRODUCTIONS OF GUESTS

Senator Holsman introduced to the Senate, Cole White, Kansas City.

Senator Justus introduced to the Senate, the Physician of the Day, Diane Jacobi, M.D., Mexico.

Senator Romine introduced to the Senate, Kevin Abts, Ste. Genevieve.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Tuesday, January 21, 2014.

## SENATE CALENDAR

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SEVENTH DAY—TUESDAY, JANUARY 21, 2014

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## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 614-Dixon

SB 615-Dixon

SB 616-Nasheed

SB 617-Rupp

SB 618-Nieves

SB 619-Nieves

SB 620-Nieves

SB 621-Dixon

SB 622-Nieves	SB 662-Kraus
SB 623-Nieves	SB 663-Munzlinger
SB 624-LeVota	SB 664-Brown
SB 625-Sater and Munzlinger	SB 665-LeVota
SB 626-LeVota	SB 666-Schmitt
SB 627-LeVota	SB 667-Schmitt
SB 628-Schaaf	SB 668-Silvey
SB 629-Kraus	SB 669-Schaaf
SB 630-Wallingford	SB 670-Sater
SB 631-Wallingford	SB 671-Sater
SB 632-Parson	SB 672-Parson
SB 633-Parson	SB 673-Kehoe and Wallingford
SB 634-Parson	SB 674-Kehoe
SB 635-Silvey and Holsman	SB 675-Kehoe
SB 636-LeVota	SB 676-Curls
SB 637-Rupp	SB 677-Curls
SB 638-Romine	SB 678-Curls
SB 639-Brown	SB 679-Curls
SB 640-Emery	SB 680-Curls
SB 641-Emery	SB 681-Curls
SB 642-Romine	SB 682-Curls
SB 643-Rupp	SB 683-Curls and Keaveny
SB 644-LeVota	SB 684-Holsman
SB 645-LeVota	SB 685-LeVota
SB 646-LeVota	SB 686-LeVota
SB 647-Sifton	SB 687-LeVota
SB 648-LeVota	SB 688-LeVota
SB 649-Lager	SB 689-Schmitt, et al
SB 650-Lager	SB 690-Wasson
SB 651-Lager	SB 691-Wasson
SB 652-Lager	SB 692-Wasson
SB 653-Lager	SB 693-Parson
SB 654-Keaveny	SB 694-Cunningham
SB 655-Kraus	SB 695-Keaveny
SB 656-Kraus	SB 696-Schaefer
SB 657-Kraus	SB 697-Schaefer
SB 658-Wallingford	SB 698-Justus
SB 659-Wallingford	SB 699-Pearce
SB 660-Wallingford	SB 700-Sater
SB 661-LeVota	SB 701-Lager

SB 702-Lager	SB 728-Sifton
SB 703-Lager	SB 729-Romine
SB 704-Lager	SB 730-Nasheed
SB 705-Lager	SB 731-Nasheed
SB 706-Cunningham	SB 732-Keaveny
SB 707-Wasson	SB 733-Schaefer
SB 708-Sifton	SB 734-Cunningham
SB 709-Wallingford	SB 735-Brown
SB 710-Walsh	SB 736-Sater
SB 711-Walsh	SB 737-Walsh
SB 712-Walsh	SB 738-Walsh
SB 713-Emery	SB 739-Romine
SRB 714-Lager	SB 740-Lamping, et al
SRB 715-Lager	SB 741-Rupp
SB 716-Brown	SB 742-Schmitt
SB 717-Brown	SB 743-Schmitt
SB 718-Richard	SB 744-Nieves
SB 719-Kehoe	SJR 36-Schaefer and Richard
SB 720-Justus	SJR 37-Dixon
SB 721-Justus	SJR 38-Nieves
SB 722-Justus	SJR 39-Dixon
SB 723-Parson	SJR 40-Curls
SB 724-Parson	SJR 41-Curls
SB 725-Nieves	SJR 42-Schmitt
SB 726-Chappelle-Nadal	SJR 43-Lamping
SB 727-Chappelle-Nadal	SJR 44-Schaefer

## INFORMAL CALENDAR

## RESOLUTIONS

### To be Referred

SCR 23-Chappelle-Nadal and Lamping

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# Journal of the Senate

## SECOND REGULAR SESSION

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**SEVENTH DAY—TUESDAY, JANUARY 21, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“For the Lord is righteous, he loves righteous deeds...” (Psalm 11:7)

O God, we give You thanks for You are in the business of putting things right. You, O God, never give up on us so that we can overcome those things which would hold us back from doing what You would have us do. It is You, O Lord, that remains steady so we can be assured that You are there for us so we can move towards righteousness. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 16, 2014 was read and approved.

The following Senators were present during the day’s proceedings:

**Present—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

**Absent—Senators—None**

**Absent with leave—Senator Kehoe—1**

**Vacancies—1**

The Lieutenant Governor was present.

## **RESOLUTIONS**

Senator Dixon offered Senate Resolution No. 1109, regarding the National Association for the

Advancement of Colored People (NAACP), Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 1110, regarding Robert Samuel Groves, Battlefield, which was adopted.

On behalf of Senator Kehoe, Senator Richard offered Senate Resolution No. 1111, regarding the Ninetieth Birthday of Norman Nivens, Jamestown, which was adopted.

Senator Justus offered Senate Resolution No. 1112, regarding Adam Robert Callanan, Arnold, which was adopted.

Senator Libla offered Senate Resolution No. 1113, regarding First Midwest Bank, Dexter, which was adopted.

Senator Libla offered Senate Resolution No. 1114, regarding Sam Huey, Dexter, which was adopted.

Senator Libla offered Senate Resolution No. 1115, regarding Melanie Stoelting, Dexter, which was adopted.

Senator Libla offered Senate Resolution No. 1116, regarding Republic Services, Incorporated, Phoenix, Arizona, which was adopted.

Senator Libla offered Senate Resolution No. 1117, regarding Stoddard County Fair Board, Dexter, which was adopted.

Senator Libla offered Senate Resolution No. 1118, regarding Young Real Estate, LLC, Dexter, which was adopted.

Senator Libla offered Senate Resolution No. 1119, regarding Debbie Essner, Dexter, which was adopted.

Senator Walsh offered Senate Resolution No. 1120, regarding American Heart Association Midwest Affiliate, which was adopted.

Senator Richard offered Senate Resolution No. 1121, regarding Phyllis Carr, which was adopted.

Senator Curls offered Senate Resolution No. 1122, regarding the death of Charles W. Wurth, Wichita, Kansas, which was adopted.

Senator Lager offered Senate Resolution No. 1123, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Junior Zimmerman, Holt, which was adopted.

Senator Lager offered Senate Resolution No. 1124, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Marvin Lukes, Stanberry, which was adopted.

Senator Sater offered Senate Resolution No. 1125, regarding Randy Fielding, which was adopted.

Senator Sater offered Senate Resolution No. 1126, regarding Steve McCulloch, Aurora, which was adopted.

Senator Sater offered Senate Resolution No. 1127, regarding Edward and Judy Dingman, Aurora, which was adopted.

Senator Brown offered Senate Resolution No. 1128, regarding Ollie Jackson, Waynesville, which was adopted.

## CONCURRENT RESOLUTIONS

Senator LeVota offered the following concurrent resolution:

### SENATE CONCURRENT RESOLUTION NO. 24

WHEREAS, every student matters, every school matters, and every community matters; and

WHEREAS, poverty has a deep impact on student learning; and

WHEREAS, transferring students out of unaccredited school districts is not in the best interest of all students and will not lead to improvement of unaccredited districts, revitalization of poverty stricken communities, or increased academic outcomes for Missouri students; and

WHEREAS, in struggling school districts, the state should focus on improving individual schools; and

WHEREAS, money should be spent on improving instruction rather than transporting students; and

WHEREAS, keeping every student, school, and community intact results in a stronger Missouri; and

WHEREAS, in order to improve unaccredited schools and increase academic outcomes of Missouri students, a solution including support and early intervention must be provided; and

WHEREAS, local control builds strong communities; and

WHEREAS, the current school transfer law is archaic and was passed at a time when the state of Missouri accredited schools in a very different way than is currently done; and

WHEREAS, the resources and expertise to solve the issue of low performance in school districts, particularly those in high poverty areas, exist right here in the state of Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby strongly encourage the State Board of Education to:

- Grant the Kansas City school district provisional accreditation. The State Board of Education granted the St. Louis public schools provisional accreditation after they showed two years of improvement on the Missouri School Improvement Program. Kansas City has done this;

- Utilize its authority to create an accreditation and intervention model that allows reform and governance changes in a struggling school district so that a district has a chance to be successful before becoming bankrupted by the student transfer law;
- Utilize authority given to the State Board of Education and DESE by the passage of SB 125 in 2013 to intervene immediately in districts where reform and change has failed to show any progress in student achievement, lapse these districts, and attach them to other school districts;
- Utilize a model of supports and interventions that have been proven to increase achievement in Missouri school districts with high levels of poverty;
- Submit a budget request to the General Assembly to cover the cost of tuition and transportation for students who have transferred from the Riverview Gardens and Normandy school districts to other school districts; and
- Make the Commissioner of Education responsible for the success of districts that have dropped below full accreditation or employ a staff member of DESE that will be responsible for overseeing such school districts' progress toward regaining full accreditation; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Commissioner of Education and each member of the State Board of Education.

## INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

**SB 745**—By Munzlinger.

An Act to repeal sections 571.101, 571.104, 571.111, and 650.350, RSMo, and to enact in lieu

thereof four new sections relating to concealed carry permits, with an existing penalty provision.

**SB 746**—By Munzlinger.

An Act to repeal section 302.302, RSMo, and to enact in lieu thereof one new section relating to automated traffic enforcement penalties.

**SB 747**—By Munzlinger.

An Act to repeal sections 50.333 and 57.280, RSMo, and to enact in lieu thereof two new sections relating to compensation for sheriffs.

**SB 748**—By Walsh.

An Act to repeal sections 167.181 and 174.335, RSMo, and to enact in lieu thereof two new sections relating to the meningococcal vaccine.

**SB 749**—By Walsh.

An Act to repeal section 115.289, section 115.275 as enacted by house committee substitute for senate substitute for senate committee substitute for senate bill no. 116, ninety-seventh general assembly, first regular session, and section 115.275 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 511, ninety-second general assembly, first regular session, RSMo, and to enact in lieu thereof three new sections relating to voting in advance of an election.

**SB 750**—By Walsh.

An Act to amend chapter 285, RSMo, by adding thereto one new section relating to employee password protection.

**SB 751**—By LeVota.

An Act to repeal sections 115.017, 115.021, 115.027, 115.029, 115.115, and 115.353, RSMo, and to enact in lieu thereof six new sections relating to elections.

**SB 752**—By LeVota.

An Act to repeal section 105.010, RSMo, and to enact in lieu thereof one new section relating to the term of office for appointed officers.

**SB 753**—By Keaveny.

An Act to amend chapter 29, RSMo, by adding thereto one new section relating to requiring the state auditor to report on the costs of administering the death penalty.

**SB 754**—By Sater and Justus.

An Act to repeal section 208.798, RSMo, and to enact in lieu thereof one new section relating to the termination date of the MO Rx prescription drug program.

**SB 755**—By Wallingford.

An Act to amend chapter 324, RSMo, by adding thereto ten new sections relating to the statewide licensure of electrical contractors, with penalty provisions.



**SB 756**—By Schaefer.

An Act to repeal sections 163.011 and 163.031, RSMo, and to enact in lieu thereof two new sections relating to funding for gifted education.

**SB 757**—By Justus.

An Act to repeal sections 213.010, 213.030, 213.040, 213.045, 213.050, 213.055, 213.065, 213.070, and 213.101, RSMo, and to enact in lieu thereof nine new sections relating to unlawful discriminatory practices.

**SB 758**—By Justus.

An Act to repeal section 105.711, RSMo, and to enact in lieu thereof one new section relating to health care professionals who are covered by the state legal expense fund.

**MESSAGES FROM THE HOUSE**

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that Representative Funderburk will be replacing Representative Rhoads on the Escort Committee pursuant to **HCR 1**.

**COMMITTEE APPOINTMENTS**

President Pro Tem Dempsey replaced Senator Wasson with Senator Libla to serve on the escort committee appointed pursuant to **HCR 2**.

**REFERRALS**

President Pro Tem Dempsey referred **SCR 23** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Richard, the Senate recessed until 6:30 p.m.

**RECESS**

The time of recess having expired, the Senate was called to order by Senator Lager.

On motion of Senator Richard, the Senate repaired to the House of Representatives to receive the State of the State Address from His Excellency, Governor Jeremiah W. "Jay" Nixon.

**JOINT SESSION**

The Joint Session was called to order by President Kinder.

The Color Guard from the Missouri State Highway Patrol, Troop F, presented the colors.

The Pledge of Allegiance to the Flag was recited.

On roll call the following Senators were present:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger

Nasheed	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

Absent—Senator Nieves—1

Absent with leave—Senator Kehoe—1

Vacancies—1

On roll call the following Representatives were present:

Present—149

Allen	Anders	Anderson	Austin	Bahr	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cornejo	Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn	Ellinger	Ellington	Elmer
Engler	Englund	Entlicher	Fitzpatrick	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Higdon	Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Lichtenegger	Love	Lynch	Marshall	May	Mayfield
McCaherty	McCann Beatty	McGaugh	McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Rizzo	Roorda
Rowden	Rowland	Runions	Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith	Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr. Speaker			

Absent and Absent with Leave—Representatives —11

Barnes	Cookson	English	Fitzwater	Flanigan	Gardner	Grisamore	Hicks
Leara	McDonald	Ross					

Vacancies—3

The Joint Committee appointed to wait upon His Excellency, Governor Jay Nixon, escorted the Governor to the dais where he delivered the State of the State Address to the Joint Assembly:

**Governor Jeremiah W. (Jay) Nixon**  
**2014 State of the State Address**

Thank you, Lieutenant Governor Kinder, Speaker Jones, President Pro Tem Dempsey, judges of the Missouri Supreme Court, state officials, members of the legislature, members of my cabinet, and my fellow Missourians.

With us tonight are Missouri's exceptional First Lady, Georganne, and our son, Will.

Tonight, we are honored to be joined by Missourians who put their lives on the line to protect the lives of others. Whether they fight our enemies abroad or protect our communities at home, these ordinary men and women do extraordinary things. They are real heroes.

On August 6, in the dark of night, deadly flash floods struck several Missouri communities without warning. In Pulaski County, creeks became raging rivers, rising by as much as 23 feet – inundating homes, washing out roads and, ultimately, claiming lives.

There were many acts of bravery that night, as state and local emergency personnel fanned out to look for folks who needed help.

Two local firefighters had been attempting to rescue a man and a young child, when their boat capsized in the rushing water, leaving all four of them clinging to a single guidewire.

Another local first responder had been holding two women above water for thirty minutes, never giving up on the rescue attempt, but tiring.

Fortunately, Corporal Lance DeClue and Lieutenant Justin McCullough of our Missouri State Highway Patrol were on duty that night.

Overcoming darkness and debris, pouring rain and treacherous floodwaters, and even a stalled rescue boat, troopers DeClue and McCullough got all seven of these individuals to safety.

Three years ago, when we worked together to merge the State Highway and Water Patrols, we knew this change would improve efficiency and reduce overhead. It has. But in the rushing waters that night, it was clear that the benefits of this reform went way beyond balance sheets. It saved lives.

I'd like us all to recognize Corporal DeClue and Lieutenant McCullough, who are with us tonight. Please join me in thanking them for their service and heroism.

These brave Missourians remind us that the true strength of our state cannot be measured in bricks or bushels, but in the talents and tenacity of our citizens.

Here in Missouri, folks don't shy away from challenges – they work together to tackle them. Getting up early... working hard... staying late... and looking out for one another.

And thanks to the people of Missouri, the state of our state is strong, and growing stronger with each passing day.

In every corner of our state, wages are up, personal income is up, and unemployment continues to fall.

In fact, since I took office in January 2009, Missouri's unemployment rate has dropped from 8.6 percent to 6.1 percent, and it's been below the national average for 51 straight months.

Since this time last year, Missouri has added nearly 44,000 jobs. And when you look at the pace of private sector job growth, Missouri was top 10 in the nation – better than every single one of our neighboring states.

Agriculture exports from Missouri have increased by more than a billion dollars over the past five years – 71 percent – thanks to Missouri farmers and ranchers.

Behind these impressive numbers are significant investments by companies that are hiring and growing all across our state – high-tech global brands like Monsanto, Expedia, Express Scripts and Cerner, to name just a few, along with small businesses and startups like CoFactor Genomics in St. Louis and Brewer Science in Rolla.

We all know that if you want to win, you've got to compete. That's why I want to thank this General Assembly for helping us make Missouri a finalist for the Boeing 777X. We didn't win the biggest prize – but we competed at the highest level.

It's important to remember, it was just three and a half years ago, that we came together in another special session that also had very high stakes.

Auto plants had closed. Jobs had gone overseas. And folks thought it wouldn't be long before the last Missouri-made vehicle rolled off the line.

But instead of giving up, we took action.

Together, we passed the Missouri Manufacturing Jobs Act, we upped our investments in workforce training, and we saved Missouri's auto industry.

Today, Missouri's automotive comeback continues to make headlines. Just look at last week:

On Sunday, GM unveiled the all-new Missouri-made GMC Canyon....

On Monday, Ford unveiled the all-new Missouri-made F-150...

Later that day, we welcomed a new automotive supplier – Janesville Acoustics – and over 150 jobs to Warrensburg.

And on Thursday, Ford announced the hiring of the 1,000<sup>th</sup> worker to build the Ford Transit van, previously built exclusively overseas.

Ask any autoworker in Claycomo or Wentzville about the pride they take in building the next-generation of American-made vehicles, and they'll tell you it means a lot more than just a paycheck.

For those autoworkers and their families, the work we do here is very real.

Our economic progress is no accident. It's the result of a clear and unwavering focus on strict fiscal discipline and smart investments.

We're the Show-Me State, so we developed a strategic plan, and we followed it.

Instead of engaging in Washington-style deficit spending, we kept our fiscal discipline – balancing budgets, cutting waste and keeping taxes low. This past year, all three major rating agencies reaffirmed Missouri's perfect AAA credit rating.

Tonight, as I have every year, I am proposing a balanced budget that holds the line on taxes – and continues to downsize government, cutting 81 more positions from state payrolls. By the end of this fiscal year, we will have reduced the state workforce by 4,600 full-time employees.

But we didn't just make government smaller – we made it smarter. We reduced energy use, sold off surplus property and put more state services online. My budget continues to invest in technology to provide Missourians with the efficient, effective, accountable government they deserve.

Keeping our fiscal house in order helped us protect our shared values. We made sure that as we moved our economy forward, we didn't leave folks behind: a young child with autism, a student working her way through college, a family rebuilding after a natural disaster, or a soldier returning from the frontlines.

Four years ago, we launched Show-Me Heroes to help employers recruit and hire our men and women in uniform. Two years ago, we strengthened it by making sure these veterans also get the training they need. Today, Show-Me Heroes continues to change lives.

I recently visited one of the 3,400 Missouri companies that have taken the Show-Me Heroes pledge. At IBM in Columbia, we recognized the 5,000<sup>th</sup> veteran employed through this program.

Our veterans fought for us – so we're going to be there for them.

For every soldier serving our country overseas, there's a family back here at home – putting on a brave face each day for the kids. Families who, in soldiering on through the loneliness, lend their loved ones strength, lend us all strength – and so it's important that we honor their sacrifice as well.

Tonight we are joined by Heather Styles and her daughters, Paige and Payton. Heather's husband of 11 years, Maj. Matthew Styles, is a helicopter pilot on his second deployment to Afghanistan. While he serves our country at war, Heather is holding down the fort at their home here in Jefferson City.

They represent thousands of military families all across our state who are counting down the days while their loved ones are in harm's way. Please join me in thanking the Styles family for their service and sacrifice, and wishing Major Styles a safe and speedy return home.

Together, we've laid a solid foundation that got us through some tough economic times, and has brought us to a defining moment for our state.

Now, with our economy picking up steam, how do we build on that foundation?

With Washington paralyzed by politics, what can we do here in Missouri to make a lasting difference for real people?

And when it's always easier to do the small things and then declare victory, how do we tackle the big challenges? The things that matter most: good schools, good jobs, and healthy communities for our kids to grow up in.

Missouri is a diverse state. Just here in this room, we've got farmers and small business owners; artists and outdoorsmen. There aren't many things every single one of us would agree on.

But here's one we can:

Our single greatest responsibility – as elected officials, as parents, as citizens of our state – is to make sure every child in Missouri has an opportunity to achieve his or her dreams.

And we all know, that opportunity starts with education.

For centuries, public education has been a value we cherish as Americans, a value we've reaffirmed time after time.

In the 1700s, Thomas Jefferson called for a public education system that would safeguard our young democracy from tyranny and oppression.

In the 1800s, we established the land grant university system, including the University of Missouri and Lincoln University.

By 1900, every state in the nation had free public elementary schools.

And when the Greatest Generation returned home from World War II – after literally saving the free world – a grateful nation honored them with something far more precious – and patriotic – than a ticker tape parade: the GI Bill.

Shepherded through Congress by Missouri Senator Champ Clark, the GI Bill gave millions of Americans an opportunity their parents never had: the chance to earn a college degree without going into debt.

Think of the impact that it had: between 1940 and 1950, the number of degrees awarded by U.S. colleges and universities more than doubled. Over the next half century, the percentage of Americans with a college degree quintupled.

They became engineers and small business owners; scientists and Supreme Court Justices; Presidents and preschool teachers.

They bought homes, started families, and launched companies – creating the modern middle class, and driving a postwar economic boom unlike anything the world had ever seen.

We're joined by one of them tonight.

Dr. Frank Fontana of St. Louis served in the Army during World War II, and followed the frontlines all the way to Berlin. When he came home, the GI Bill provided him the opportunity to get a degree in optometry, and later he started his own practice.

He married the love of his life, Dorris, and they had two sons who they put through school. The GI Bill gave Frank the opportunity to pursue his dreams, to support his family, and become a great optometrist. I should know – he was mine.

Please join me in thanking Dr. Frank Fontana for his service and for reminding us what the American dream is all about.

This nation's greatest generation made a commitment to education – and as a result, they made the United States the driver of the global economy and the undisputed leader of the free world.

Now, it's our turn to carry on that legacy.

Now, we must work to help every child start school ready to learn.

We must demand that every school is getting the job done.

And, we must make sure that every student can afford to get a college degree.

Together, let's resolve to give our children and grandchildren more opportunities, better opportunities than we had, and build the future they deserve.

We need to start early. Parents and teachers see it every day: the first few years of a child's development have an impact that lasts a lifetime.

A child who starts kindergarten ready to learn, is more likely to succeed in school, go to college, and get a good job.

Working together, over the last year, we've expanded access to early childhood education, giving more children the opportunity to go to high quality preschool in their communities.

But this year, it's time that we do much more. Kids grow up fast – so there's no time to waste. We must work together to make sure our kids start smart.

And that's why my budget will nearly triple funding for the Missouri Preschool Program.

We will provide quality early learning opportunities to thousands more kids all across Missouri. But that's just the beginning.

As many of you know, Georganne and I spend a lot of time at Missouri's schools – touring classrooms, talking to students, meeting with teachers and staff. Sometimes, I shoot a few hoops.

Our schools are the hearts of our communities. They're where we gather for picnics and dances, ball games and bingo – where lifelong friendships are made, and fundamental values are learned.

And in today's global economy, whether you root for the DeSoto Dragons, the Sikeston Bulldogs or the Mound City Panthers, our K-12 schools

must also be rigorous, high-tech institutions of innovation.

More technology. Smaller class sizes. Well-prepared teachers. The tools our kids need to succeed.

Accomplishing that goal is going to take an unwavering commitment by all of us, and it's going to take money.

That's why my budget increases funding for our K-12 classrooms this year by \$278 million, and will put us on a path to fully funding the foundation formula next year.

Every one of us has run for office. And when we knocked on doors and folks asked if we believed in public education – we all said yes. And at every town hall meeting, when someone raised their hand and asked what we'd do for teachers – we said we'd support them. And on the campaign trail, I'll bet almost all of us made a promise to invest in our students and our schools.

Well, you know what? It's time to put our budgets where our campaign brochures are.

Now it's time to decide whether we're merely going to talk about public education, or whether we're going to fund it.

This is the test – and this is the year – to get serious about fully funding our schools. Our local schools will put these dollars to work in a big way for our kids and communities.

Here are just a few of the priorities that school districts have already identified:

In Kennett, every student will have a computer.

In Fort Zumwalt, 50 additional teachers will reduce class sizes, and give kids the personal attention they need.

In Santa Fe, they'll bring back summer school, and establish the district's first early childhood education program.

Up in Kirksville, they will implement Project Lead the Way – the hands-on curriculum that helps students understand and excel in science.

And in Springfield, 4,000 more three- and four-year-olds will have the opportunity to attend high-quality preschool.

Tonight we are joined by teachers, administrators, and board members from across the state. I'd like you to stand. Please join me in thanking them for taking on the honorable challenge of educating our kids.

And with this commitment to fully funding the formula, we're going to demand accountability and measurable results: tougher classes, higher test scores, and higher graduation rates.

Our students need to be ready to compete worldwide – and that means they have to raise their game, and we need to raise ours too.

We've got to believe in education so much, that we commit to making it better.

And when we talk about education – there is something that always bears repeating: there is no more honorable profession than being a teacher.

None of us would be in this room today were it not for the extraordinary people who taught us – and believed in us – years ago.

We are blessed to have so many talented teachers across our state, selfless public servants who stay late to make sure our children don't fall behind, who often dig into their own pockets to make sure they have the materials they need to teach our kids.

And yet each year, there are some who believe the way to build up our schools is to tear down our teachers – trying to cut their pay, or reduce their retirement benefits or threaten their job security.

That simply needs to stop.

Now we can all support making smart reforms to our education system. And of course, we should hold educators accountable for the important job we entrust them to perform.

But instead of attacking public school teachers, we should make it our mission to recruit the best and brightest minds to take on the honorable work of teaching our kids. And that is exactly what this significant education investment will allow our local school districts to do.

Tonight we are pleased to be joined by Tobin Schultz. Ever since he was in the ninth grade, Mr. Schultz knew he wanted to be a teacher – and at Joplin High School, he continues to inspire and motivate students each and every day. Last October, Mr. Schultz won the prestigious Milken Family Foundation National Educator Award.

We were all inspired by how Joplin – even in its darkest hour – rallied behind its students and its schools. Just this month, 1,400 students in Joplin walked in to three brand new schools, marking another milestone in a remarkable recovery.

Mr. Schultz is joined by Joplin High School Principal Dr. Kerry Sachetta, A-Plus Coordinator Susan Day, and Superintendent Dr. C.J. Huff. Please join me in thanking Mr. Schultz – and all of our teachers – for the vitally important work they do each day.

At Joplin High, Mr. Schultz works hard to make sure kids are prepared to take the next step, and pursue the higher education they need for the careers they want.

Many of us have probably had the same conversation with our kids around the dinner table: we tell them that no matter what they're interested in, the more education they get, the more financially secure they will be.

The numbers are stark: the unemployment rate among high school graduates is more than twice that of college graduates. And by the end of this decade, two-thirds of all jobs will require some kind of college credential.

Together, we've made great strides to make sure that a quality, affordable college education is an option for every family. In fact, over the past five years, Missouri's public universities have led the nation in holding down tuition increases.

Number one.

But we're not done yet. Working together, we're going to make sure students graduate from college with the skills to compete for good jobs, not a load of debt.

That's why I have called on our four-year institutions to once again freeze tuition for Missouri undergraduates.

That's right – under my budget, Missouri undergraduates at our public universities should not have to pay a penny more for tuition next year. Not a penny.

And no student should have to settle for less education, just because their parents make less money.

So we're doing something about that. My budget puts additional dollars behind our Access Missouri Scholarship program so that students from low-income families can get the financial aid they need.

And we'll make sure Bright Flight lives up to its original mission of keeping our best and brightest students here in Missouri during college and after they graduate.

Finally, I'm proud to report that we've taken our A-Plus Schools program statewide, adding 266 schools since 2009 – giving thousands more students the opportunity to earn an A-Plus Scholarship.

Today, all across Missouri, students who work hard, play by the rules and give back to their communities can attend two years of community college – tuition free.

But affordability is only part of the equation.

Once again, core funding for our colleges and universities will be awarded based on performance: on how well our institutions meet specific goals.

And in the high-tech global economy, we need to make sure the degrees students pursue match the skills that businesses need.

Over the next decade, the jobs that are in highest demand will require at least some background in science, technology, engineering or math – the so-called STEM fields.

We're talking about software programmers and scientists, mathematicians and machinists, coders and chemists.

The best way to attract more of these high-paying jobs is to make sure our workers have the skills to fill them – and that is exactly what our STEM initiative will do.

With an initial investment of \$22 million, this initiative will help our universities purchase state-of-the-art equipment, expand lab space and – most importantly – produce more graduates in these fast-growing fields.

Investing in high-tech education will pack a huge punch for our economy.

Education must start early – but it can never stop.

With technology constantly advancing, we can't forget that learning needs to be a lifelong endeavor.

Every Missourian willing to work hard and learn something new – no matter what their age or education level – should have the opportunity to take that next step and move up the economic ladder.

I thank the legislature for working with us to strengthen our workforce training tools, and give more Missouri workers the opportunity to sharpen their skills, and get better jobs.

From preschool to graduate school, in total, my budget includes 493 million additional dollars for education.

Our growing economy, combined with our sound budget management, affords us this unique opportunity to invest in our students' future – our state's future.

It's our responsibility to do it.

But there are those who feel that instead of fully funding our schools, we should pull money out of our classrooms in order to experiment with our tax code.

Let's get something straight: I've held the line on taxes every year I've been Governor and will do so again this year.

Missouri's a low-tax state – sixth lowest in the nation – and we like it that way.

I've signed four tax cuts as your Governor – specific, targeted tax cuts that have helped our businesses expand and grow. For example, Missouri employers will save \$70 million this year alone because we cut the corporate franchise tax.

But here's what I won't do: I will not support anything that takes money out of our classrooms.

As we saw last summer, in community after community in all corners of our state, parents, teachers, administrators, school board members, business leaders and concerned citizens spoke out with one united voice.

The people of Missouri said they expect their elected leaders to support public schools, because they know that education is the best economic development tool there is.

High paying jobs, growing businesses, thriving communities – these are goals we share, so let's invest in the one thing we know will help us achieve them: a workforce that can compete worldwide.

This is the year to send a budget to my desk that puts us on track to fully funding our schools, and builds the Missouri our kids deserve.

We've shown that we can work together to create better opportunities for all Missourians. Just look at what we're doing – together – to serve Missourians with disabilities and mental illness.

In 2010, we passed landmark legislation to require insurance companies to cover the diagnosis and treatment of Autism Spectrum Disorders – and what a difference it's made for our kids.

Today, because of this law, 1.6 million Missourians have coverage for these proven treatments, and more than 2,500 Missourians were treated for autism spectrum disorders last year.

Our Partnership for Hope continues to be a tremendous and life-changing success for thousands of Missourians with developmental disabilities. My budget expands this vital program to even more Missourians, in more communities across the state.

For years, thousands of Missourians with developmental disabilities were forced to wait months – often years – to get the in-home Medicaid services they needed – people like Nate Huffman from St. Peters, who I met when we first launched the Partnership for Hope in 2010.

Back when he was in school, Nate had access to physical therapy and other services that helped him be more independent. He'd even gotten strong enough to walk around his high school track. But when he graduated, those services ended.

For eight years, Nate's condition and quality of life worsened while he was placed on a waiting list for in-home services. Eight years – it was heart-breaking. But that was before the Partnership for Hope.

Today, Nate is doing much better. His physical therapy is going well and he's able to communicate through a new computer system. He told me that his goal was to someday be able to walk around that track again – and thanks to the Partnership for Hope, he's getting closer to reaching that goal each and every day.

Because of Missourians like Nate, each year I've been in office, we've made it a priority to chip away at that waiting list.

And now I'm proud to report, this year that waiting list will no longer exist.

Our friends and neighbors will now get the life-changing services they need, when they need them.

On mental illness – as tragedies across the nation exposed dangerous gaps in our country's mental health safety net – we took action here in



Missouri:

We added new mental health liaisons at each of our 29 community mental health centers, so that our law enforcement officers can focus on being cops, not frontline caregivers.

We launched seven targeted emergency room response teams, to ease the burden on our doctors and nurses.

And we made a historic investment in Mental Health First Aid training, so that more teachers, clergy, first responders and ordinary citizens can identify the signs of mental illness and know what to do.

Together, we are training more than 1,000 Missourians on these proven, life-saving techniques. And with your help this session, we'll train thousands more.

But as any member of law enforcement can tell you, there are those for whom preventative services are simply not enough. Some mental illnesses are so severe that those suffering from them are a danger to themselves and others.

Since 1851, this care has been provided at Fulton State Mental Hospital, Missouri's only maximum security psychiatric facility – a facility that is crumbling and in desperate need of replacement.

It's inadequate to the needs of patients. It's dangerous for the staff who care for them. And it's an embarrassment to our state.

Now is the time to take action.

That's why I look forward to working with you to address this most urgent of needs and issue bonds to support the construction of a new mental hospital in Fulton.

Interest rates are low. Our credit rating is high. And the need is undeniable. Friends, let's roll up our sleeves, work together, and for the safety of all our communities, get it done this year.

And as we intensify our efforts to make sure that Missourians with mental illness and developmental disabilities get the appropriate care – it's clear that we need more qualified professionals to provide that care.

Just look at the numbers – 104 of Missouri's 114 counties are designated as mental health professional shortage areas; 72 counties lack even a licensed psychiatrist.

These are good jobs that are in demand now – we just need the qualified professionals to fill them. That is why my budget includes a \$20 million investment to help our community colleges and universities train 1,200 more mental health professionals.

From teaching a child with autism how to interact with peers, to helping law enforcement respond to individuals in mental health crisis, these health professionals will help keep our communities safe – and make sure all Missourians have the opportunity to live up to their God-given potential.

The priorities I've just laid out are by no means the only issues that require our attention this session:

We need to restore the public's faith in what we do here by reinstating strict campaign contribution limits and passing comprehensive ethics reform.

We need to rein in the tax credit programs that don't deliver a solid return on our investment.

And we need to end discrimination against LGBT Missourians in the workplace. No Missourian should be fired because of who they are or who they love. Last year, the Missouri Nondiscrimination Act passed the Senate with bipartisan support, but failed to get to my desk. Let's get it done this year.

We need to fix the law that's led to so much stress and uncertainty for families and schools, as thousands of students are transported from one district to another.

We need to have a robust discussion about our state's long-term transportation infrastructure needs – and how to pay for them.

We need to develop a comprehensive energy plan for our state: one that balances the need for low-cost, reliable energy with our duty to be responsible stewards of the environment.

And we need to reauthorize the Missouri Rx program, to prevent more than 200,000 seniors and Missourians with disabilities from paying more for their prescription drugs. Let's work together, as we did just three years ago, to extend this essential help for Missourians in need.

But the most significant improvement we could make to the health and wellbeing of our state is Medicaid, and it needs to get done this year.

Since New Year's Day, Missouri taxpayers have spent \$115 million and counting – \$5.47 million a day – to improve and reform health care in other states, like Arkansas and Arizona, New Jersey and Iowa, Michigan and North Dakota. This adds up to \$2 billion, or \$500 for every Missouri taxpayer, every year.

Each day we don't act, these states use Missourians' tax dollars to implement innovative reforms, like rewards for making healthier lifestyle choices and penalties for missing doctors' appointments.

Each day we don't act, Missouri's Medicaid system continues as it has for years, without additional protections for taxpayers, or new measures to promote personal responsibility.

Each day we don't act, thousands of Missouri women aren't getting the preventive health care they need to detect breast or cervical cancer early – while there's still time to treat it.

And each day we don't act, nearly 300,000 working Missourians go another day without the treatment they desperately need, for no other reason than they live in Branson instead of Bentonville, in Cape Girardeau instead of Cairo, in Maryville instead of Muscatine.

And if you don't see these folks knocking on your doors or lighting up your phone lines, it's because they don't have time. They're working to pay the bills and make ends meet.

We all know there are problems with Obamacare, and Washington's implementation of it has been abysmal.

But rejecting Medicaid won't fix any of those things. It won't keep Missourians from having to pay federal taxes, or exempt our businesses from new requirements under the law.

Instead, by standing still, we're making the things we don't like about Obamacare even worse, forcing Missourians to bear all the costs of this law – and reap none of the benefits.

Think about that.

The people who are suffering now as a result of our failure to act don't work in the White House – they work the night shift in our factories. They wait tables and scrub floors. They drive snow plows and look after our kids.

Right now, hundreds of thousands of these working Missourians can't afford to get the basic health services they need to lead healthy, productive lives.

They're folks like Anita Sutherland from Van Buren. Anita was a home health care worker who now works part-time at Head Start.

Being uninsured has already taken a toll. A year ago, Anita was diagnosed with uterine cancer and had to leave her full time job. Since then, she's racked up over \$100,000 in medical bills, and is suffering from complications of her cancer treatment. Today, buried in a mountain of debt and unable to afford the medical care she needs, Anita doesn't see a way out. She feels hopeless.

But when we strengthen Medicaid, Anita will be covered. She'll be able to get the treatment she needs and go back to working full time. She'll have hope.

Working Missourians like Anita aren't looking for a handout. They just want to get a checkup without wiping out their bank account.

I challenge each one of you to think of any other bill that would make this kind of real and immediate difference – the kind of difference Medicaid expansion would make – in the lives of the people we represent.

I challenge each of you to consider how history will judge those who had the power to help people like Anita – and chose not to.

I challenge each of you to explain why it makes more sense to pay for Medicaid in other states, than it does to reform it in ours.

The path before us is clear:

We can make sure working folks can access affordable health care coverage.

We can improve and reform Medicaid in Missouri.

We can help people.

As the book of Isaiah says: "If you satisfy.... the needs of the afflicted, then your light shall rise in the darkness and your night will become like the noonday."

At this time last year, the same Medicaid debate was taking place in state capitols across the country.

And since that time, we've seen Governors and legislators, Democrats and Republicans, in other states, come together to reform their health care systems. But here in Missouri we stood still. And now we've fallen behind.

This year, Missouri is paying the cost.

This year, Missourians are suffering the consequences.

I look forward to working with all of you to bring affordable health coverage to working families in Missouri and reform Medicaid the Missouri way.

One year ago, many of us gathered in St. Louis to mourn the loss of an icon – Missouri's adopted son, Stan Musial.

Stan the Man was a member of the Greatest Generation who put his career on hold to serve in World War II – and went on to become the greatest hitter in baseball history.

Stan was called baseball's "perfect warrior" – because while he swung a loud bat, he also carried himself with a quiet dignity – always a gentleman.

He was known to say, "Every day you put this jersey on, it's a privilege."

The same can be said for all of us in this room.

Every day when you put that pin on your lapel, and enter these doors to do the people's business, it's a privilege.

And with that privilege comes responsibility.

The people of Missouri count on us to look out for their families as if they were our families.

To focus on what matters: Better jobs. Better schools. Better opportunities for their children.

And it's easy to get caught up in the political back and forth of the day. Or the controversy of the hour. Or the latest tweet.

But we must be bigger than that, because the work we do here is very, very real.

It's real to the parents in Bolivar who didn't go to college but save money every week so someday their children can.

It's real to the farmer in Trenton who nearly lost his crop during the drought of 2012, but has come charging back.

It's real to the child with autism in O'Fallon who's getting the ABA treatment he needs to learn and thrive.

And you better believe it's real to the family in Joplin who lost everything and could have moved away and started anew – but they chose to stay right there to rebuild the town they love.

And their state government has been with them every step of the way –because that's what we do. That's why we serve.

We're here to make a difference for those who work hard and need a hand – often times for people we'll never meet.

Because the legacy we leave will not be measured by votes on Election Day or back-slaps in these hallways – it will be measured by the lasting impact we have on the communities we serve.

The opportunity we've been given – to make this kind of difference in the lives of those we represent – is as rare as it is fleeting.

Ten years from now, when trucks are still rolling off the line in Claycomo, folks might not remember the Missouri Manufacturing Jobs Act.

Twenty years from now, when the mom whose insurance paid for the cancer treatment that saved her life attends her son's college graduation, she won't know the names of the lawmakers who voted for Medicaid expansion.

And 30 years from now, when the student who was the first in her family to go to college takes the reins of a Fortune 500 company, she probably won't credit the high quality preschool she attended.

But we will. And we'll know we focused on the right things. We'll know we made the right choices.

That's our call to action.

That's the sacred responsibility we hold.

In the short time we've been given, let's make it count.

Together, let's build the Missouri our kids deserve.

Thank you, and God bless.

On motion of Senator Richard, the Joint Session was dissolved and the Senators returned to the Chamber where they were called to order by Senator Lager.

### **INTRODUCTIONS OF GUESTS**

Senator Brown introduced to the Senate, Dr. Cheryl B. Schrader, Chancellor, Missouri University of Science and Technology, Rolla.

Senator Libla introduced to the Senate, Marshall Stallings, Charleston.

Senator Libla introduced to the Senate, Pastor Jamie Jones, and his wife, Deborah, and students Tavauna Cobb, Nicole Davis, Shannon Gipson and Amaud Bates, Caruthersville; Della Streaty-Wilhoit, Columbia; and Herman Styles, Jr., Poplar Bluff.

On motion of Senator Richard, the Senate adjourned under the rules.

### **SENATE CALENDAR**

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**EIGHTH DAY—WEDNESDAY, JANUARY 22, 2014**

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### **FORMAL CALENDAR**

### **SECOND READING OF SENATE BILLS**

SB 614-Dixon	SB 629-Kraus
SB 615-Dixon	SB 630-Wallingford
SB 616-Nasheed	SB 631-Wallingford
SB 617-Rupp	SB 632-Parson
SB 618-Nieves	SB 633-Parson
SB 619-Nieves	SB 634-Parson
SB 620-Nieves	SB 635-Silvey and Holsman
SB 621-Dixon	SB 636-LeVota
SB 622-Nieves	SB 637-Rupp
SB 623-Nieves	SB 638-Romine
SB 624-LeVota	SB 639-Brown
SB 625-Sater and Munzlinger	SB 640-Emery
SB 626-LeVota	SB 641-Emery
SB 627-LeVota	SB 642-Romine
SB 628-Schaaf	SB 643-Rupp

SB 644-LeVota	SB 684-Holsman
SB 645-LeVota	SB 685-LeVota
SB 646-LeVota	SB 686-LeVota
SB 647-Sifton	SB 687-LeVota
SB 648-LeVota	SB 688-LeVota
SB 649-Lager	SB 689-Schmitt, et al
SB 650-Lager	SB 690-Wasson
SB 651-Lager	SB 691-Wasson
SB 652-Lager	SB 692-Wasson
SB 653-Lager	SB 693-Parson
SB 654-Keaveny	SB 694-Cunningham
SB 655-Kraus	SB 695-Keaveny
SB 656-Kraus	SB 696-Schaefer
SB 657-Kraus	SB 697-Schaefer
SB 658-Wallingford	SB 698-Justus
SB 659-Wallingford	SB 699-Pearce
SB 660-Wallingford	SB 700-Sater
SB 661-LeVota	SB 701-Lager
SB 662-Kraus	SB 702-Lager
SB 663-Munzlinger	SB 703-Lager
SB 664-Brown	SB 704-Lager
SB 665-LeVota	SB 705-Lager
SB 666-Schmitt	SB 706-Cunningham
SB 667-Schmitt	SB 707-Wasson
SB 668-Silvey	SB 708-Sifton
SB 669-Schaaf	SB 709-Wallingford
SB 670-Sater	SB 710-Walsh
SB 671-Sater	SB 711-Walsh
SB 672-Parson	SB 712-Walsh
SB 673-Kehoe and Wallingford	SB 713-Emery
SB 674-Kehoe	SRB 714-Lager
SB 675-Kehoe	SRB 715-Lager
SB 676-Curls	SB 716-Brown
SB 677-Curls	SB 717-Brown
SB 678-Curls	SB 718-Richard
SB 679-Curls	SB 719-Kehoe
SB 680-Curls	SB 720-Justus
SB 681-Curls	SB 721-Justus
SB 682-Curls	SB 722-Justus
SB 683-Curls and Keaveny	SB 723-Parson

SB 724-Parson	SB 746-Munzlinger
SB 725-Nieves	SB 747-Munzlinger
SB 726-Chappelle-Nadal	SB 748-Walsh
SB 727-Chappelle-Nadal	SB 749-Walsh
SB 728-Sifton	SB 750-Walsh
SB 729-Romine	SB 751-LeVota
SB 730-Nasheed	SB 752-Levota
SB 731-Nasheed	SB 753-Keaveny
SB 732-Keaveny	SB 754-Sater and Justus
SB 733-Schaefer	SB 755-Wallingford
SB 734-Cunningham	SB 756-Schaefer
SB 735-Brown	SB 757-Justus
SB 736-Sater	SB 758-Justus
SB 737-Walsh	SJR 36-Schaefer and Richard
SB 738-Walsh	SJR 37-Dixon
SB 739-Romine	SJR 38-Nieves
SB 740-Lamping, et al	SJR 39-Dixon
SB 741-Rupp	SJR 40-Curls
SB 742-Schmitt	SJR 41-Curls
SB 743-Schmitt	SJR 42-Schmitt
SB 744-Nieves	SJR 43-Lamping
SB 745-Munzlinger	SJR 44-Schaefer

## INFORMAL CALENDAR

## RESOLUTIONS

To be Referred

SCR 24-LeVota

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# Journal of the Senate

## SECOND REGULAR SESSION

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**EIGHTH DAY—WEDNESDAY, JANUARY 22, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Sing to him, sing praises to him; tell him of all his wonderful works.” (Psalm 105:2)

O God, let us never take our eyes off You nor our hearts far from You. Let our hearts sing a song to You that recognizes that You have helped us to be here so that we may serve faithfully, especially those who have the greatest need of our help and benefit from the gifts that we have been given and make use of daily. And by doing so may our lives sing a song of praise to You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

Absent—Senators—None

Absent with leave—Senator Kehoe—1

Vacancies—1

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Richard offered Senate Resolution No. 1129, regarding the Ninetieth Birthday of Martha Elizabeth Madden Belk, Joplin, which was adopted.

Senator Wallingford offered Senate Resolution No. 1130, regarding Jeanne Muckerman, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 1131, regarding James D. Maurer, Cape Girardeau, which was adopted.

Senator Wallingford offered Senate Resolution No. 1132, regarding Broadway Prescription Shop, Cape Girardeau, which was adopted.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that Representative Riddle will be replacing Representative Crawford on the Escort committee pursuant to **HCR 2**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that Representative Stream will be replacing Representative Leara on the Escort committee pursuant to **HCR 2**.

### **CONCURRENT RESOLUTIONS**

Senator Sifton offered the following concurrent resolution:

#### **SENATE CONCURRENT RESOLUTION NO. 25**

WHEREAS, the United States Environmental Protection Agency (EPA) has repeatedly delayed issuing regulations on coal combustion waste; and

WHEREAS, coal combustion waste, or coal ash, contains carcinogenic and neurotoxic chemicals such as mercury, arsenic, cadmium, lead, hexavalent chromium, and other heavy metals that have been proven to harm human health; and

WHEREAS, ponds containing coal ash often leak these pollutants into the groundwater, as evidenced by documentation of contamination in other states including Illinois; and

WHEREAS, coal waste ponds at the Labadie Power Plant in Franklin County were known by the Missouri Department of Natural Resources to be leaking 50,000 gallons per day since 1992. Ameren has only recently claimed to address those known leaks, and no groundwater monitoring around the ponds has occurred or is occurring even though everyone for miles around the site in Franklin County relies on groundwater for drinking water; and

WHEREAS, the State of Missouri currently does not require any groundwater monitoring at these coal ash ponds, so that the extent of any danger to the public health cannot be determined; and

WHEREAS, there are at least 32 coal ash ponds scattered across the State of Missouri, including in Jasper, Jackson, Platte, Franklin, Buchanan, St. Louis, New Madrid, Henry, Jefferson, Scott, St. Charles, and Randolph Counties; and

WHEREAS, utilities generate over 2.6 million tons of coal ash in Missouri every year; and

WHEREAS, devastating coal ash spills took place in December 2008 in Kingston, Tennessee and in November 2011 in Oak Creek, Wisconsin, both of which resulted in property damage and expensive cleanup; and

WHEREAS, a report released by Earthjustice in August 2011 listed Missouri as one of the weakest states in the country for regulating coal combustion waste; and

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the Department of Natural Resources, in issuing water pollution discharge permits for conventional coal-fueled electric generating units, and consistent with otherwise applicable law, to fully consider:

- (1) The need to require groundwater monitoring immediately at all new and existing coal ash ponds in the State of Missouri; and



(2) The need to require clean-up at all coal ash ponds that are found to be leaking dangerous chemicals; and

BE IT FURTHER RESOLVED that this resolution does not amend any state law to which the Department of Natural Resources is subject, and shall be interpreted to be consistent with any requirements of such state or federal law; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon and the Director of the Department of Natural Resources.

**Senators Chappelle-Nadal, Nasheed and Curls offered the following concurrent resolution:**

**SENATE CONCURRENT RESOLUTION NO. 26**

WHEREAS, immigration is a federal issue and Missouri residents value the protection of the borders of the United States; and

WHEREAS, Missouri residents value family and community and desire to avoid the separation of children from parents as long as a felony has not been committed by a parent; and

WHEREAS, Missouri residents respect the decisions made by local law enforcement as well as their judgments and support their focus on criminal activity in the state; and

WHEREAS, Missouri residents value a thriving economy and acknowledge that the state is only as successful as its tax payers; and

WHEREAS, the immigrant community in Missouri is a growing community which contributes meaningful employment within the state and pays taxes which bolster state revenues further enhancing the ability of the state to maintain its programs; and

WHEREAS, Missouri residents encourage and support the immigrant community to forge a path to become residents of this state and citizens of this country; and

WHEREAS, as all people are created equal to live freely in their pursuit of happiness, this nation must adopt a humane approach to treating all people with the same dignity and respect our founding fathers fought for in gaining our independence:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge law enforcement of this state to focus on criminal activity within the state and not on civil violations of federal law; and

BE IT FURTHER RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the United States Congress to aid in changing the federal immigration policy in accordance with the aforementioned principles for the betterment of this great country; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President Pro Tempore of the United States Senate, the Speaker of the United States House of Representatives, each member of the Missouri Congressional delegation, and the superintendent of the Missouri State Highway Patrol.

**INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 759**—By Sifton.

An Act to amend chapter 161, RSMo, by adding thereto four new sections relating to relationships between families and school staff.

**SB 760**—By Chappelle-Nadal.

An Act to repeal sections 160.400, 160.518, 160.526, 161.092, 162.085, 163.023, 166.300, 167.131, 167.241, 168.700, and 171.171, RSMo, and to enact in lieu thereof fourteen new sections relating to school accreditation.

**SB 761**—By Wallingford.

An Act to repeal sections 376.1363 and 376.1367, RSMo, and to enact in lieu thereof two new sections relating to health insurance benefit determinations for serious and urgent conditions.

**SB 762—By Schaefer.**

An Act to amend chapter 542, RSMo, by adding thereto one new section relating to the release of data collected by automobile event data recorders.

**SB 763—By Schaefer.**

An Act to repeal section 205.190, RSMo, and to enact in lieu thereof one new section relating to county hospital trustees.

**SB 764—By Lager.**

An Act to repeal section 79.130, RSMo, and to enact in lieu thereof three new sections relating to lawmaking procedures in fourth class cities.

Senator Richard moved that the Senate recess to repair to the House of Representatives to receive the State of the Judiciary Address from the Chief Justice of the Supreme Court, the Honorable Mary R. Russell, which motion prevailed.

**JOINT SESSION**

The Joint Session was called to order by President Kinder.

On roll call the following Senators were present:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—31	

Absent—Senator Wasson—1

Absent with leave—Senator Kehoe—1

Vacancies—1

On roll call the following Representatives were present:

Present—155

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Burns	Butler	Carpenter	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson	Hodges	Hoskins	Hough	Houghton

Hubbard	Hummel	Hurst	Johnson	Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeier	Korman	Kratky	LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Moon	Morgan	Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson	Peters	Pfautsch	Phillips	Pierson
Pogue	Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Rowden	Rowland	Runions	Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith	Solon	Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	Walton Gray	Webber	White	Wieland	Wilson	Wood	Wright
Zerr	Mr. Speaker							

Absent and Absent with Leave—Representatives —5

Grisamore      Jones 50      Pike      Ross      Swearingen

Vacancies—3

The Joint Committee appointed to wait upon the Chief Justice of the Supreme Court, Mary R. Russell, escorted the Chief Justice to the dais where she delivered the State of the Judiciary Address to the Joint Assembly:

**Chief Justice Mary R. Russell**  
**State of the Judiciary Address**

Lieutenant Governor Kinder, Speaker Jones, President Pro Tem Dempsey, members of the General Assembly, the executive branch, my judicial colleagues and everyone gathered in this beautiful chamber: I am honored to have this opportunity to speak to you today.

I am especially pleased to be *here*, because the capitol building holds personal significance for me. It was here where I learned, first-hand, how the three branches of government work.

I made my first visit as a high-school senior with Mr. Frank Brown's government class from Hannibal High School. Later, as a junior at Truman State University, I interned in the House, observing how laws were made. By the way, Rep. Chris Kelly was in the House back then too! I also worked part-time in the Senate president pro tem's office while working my way through law school at Mizzou.

I have had the good fortune to serve in the executive branch of government as well. I was appointed by Governors Ashcroft and Carnahan to several boards and commissions that helped carry out the laws adopted by the legislature.

And now I am in my 18th year serving in the judiciary, where we resolve disputes by interpreting what laws and constitutional provisions mean, when applied to a variety of situations – some foreseen, some not.

These collective experiences in all three branches of our government continue to convince me that all of us are truly “constitutional partners” – all equally sworn to uphold the constitutions of our state and nation – all equally entrusted by our fellow Missourians to make this state better for them, and their children, and their children to come.

Perhaps you are like me, having to pinch yourself that you have the privilege to work in the state capital. For me, it is the honor of working in the red brick building across the street. For you, it may be seeing the majestic dome of the capitol rising in the distance as you drive into town and knowing you have an office there. Our time to do good here is limited, and it will pass all too quickly. We must make the most of this unique opportunity. For we are all but temporary guardians of our system of government, and we must work together to ensure its legacy continues.

But there is another reason I am honored to be here *today*. This speech marks the 40th anniversary of the first state of the judiciary address in Missouri history, delivered by then-Chief Justice Robert T. Donnelly. In that speech to the General Assembly in 1974, he talked about the “exciting opportunities available” for “modernization of our operations.” He predicted that the impact of technology on government would “be profound.”

What a visionary Chief Justice Donnelly was. His statements about “the impact of ... technology” on the courts were made more than 40 years ago, long before desktop computers, e-mail and videoconferencing ... and maybe before some of you were even born.

Today, we in the courts continue to meet the challenge of being innovative in the services we provide, to maintaining prudent stewardship of public funds and to working in cooperation with all our “constitutional partners.”

On behalf of the 407 state judges and commissioners and the more than 4,000 court clerks and staff working diligently in each one of your local courthouses back home, I am proud to say that the state of Missouri’s judiciary is strong. We have been working smarter by implementing innovative ideas. We are resolving as many cases as are filed each year in state court. And our judges and staff are working hard every day to make Missouri’s courts better for everyone. They deserve our thanks.

#### *Missouri courts continue to be innovative in providing services*

As Chief Justice Donnelly predicted, incorporating new technologies has been an ongoing process for the courts. We spent more than a decade deploying our case management system statewide. It was complete by 2008, and it empowers you and the public to use Case.net to search for information about cases filed anywhere in the state. About two years ago, we began changing from paper filings to electronic filings. Today, the Missouri eFiling System is being used in every appellate court and 28 trial courts, with another 30 courts ready to come online later this year. We are rolling this system out as fast as our resources permit.

I am very proud of these achievements in increasing public access to the courts. They are examples of the kind of innovation in service that the public has come to expect from both the private sector and government. Like Case.net, our eFiling System is unique to Missouri. Thanks to an enhancement to Case.net that we implemented last fall, now you or any of your constituents can come into any courthouse and use a designated computer terminal to read the contents of any public document in the Missouri eFiling System. These range from pleadings and briefs to orders and judgments – no matter where in the state they were filed.

Building digital infrastructure into our court services helps all of government. For instance, our court technology allows the judiciary and various state agencies and county officials to share more information. This cooperation and coordination ensures that offenders can be apprehended more quickly, that people who are granted orders of protection can be kept safer, and that more child support payments and court fines can be collected. The bottom line is that sharing this vital court information helps to make all of government more efficient and more effective.

But we are not stopping there in expanding our services. After all, technology changes every day. And the public expects almost instant access to everything. So we are exploring ways to use technology to be more innovative in the services we provide to all Missourians. For example, we are determining how electronic tools can help jurors stay informed about when their services will be needed. We also are devising a way people can pay their fines online. A new and improved website about Your Missouri Courts is on the horizon as well.

It is also incumbent on the judiciary to help people understand the function that judges and the courts are assigned. Courts exist to protect people’s rights and to give them a safe, civil environment in which to resolve their most pressing disputes. As judges, we are required to decide cases based solely on the facts and law, not on our personal beliefs or popular opinion. Like you, we take our oaths very seriously. We cannot promise any particular outcome in any case, but we do promise to support and defend our constitutions and to treat everyone with fairness, dignity and respect.

In our system of democracy, it is our duty to protect the rights and property of all Missourians and to be guardians of the constitution through which the people govern us all. But no matter how much compassion we might have for the people involved in legal disputes, judges simply are not in the “happiness business.” For every decision we make, someone is unhappy, and sometimes everyone – including the judge – is unhappy.

In the past, judges have done their jobs well by staying in the courthouse. But more and more, we have found that people can better understand how the judiciary works by engaging with them in their communities.

One of my favorite parts of being a judge is the chance to accept as many invitations as my schedule will permit to speak with Missourians from all walks of life about how their courts work, taking the mystery out of the process. I have been in towns from Rockport to Kahoka to Caruthersville to Pineville, from Lebanon to Paris ... and Halfway in between ... and the same holds true for my “namesakes,” *Maryville* and

*Russellville*. But no matter where I go, I find that all Missourians share certain common expectations – to be treated equally and fairly, and to have justice administered the same no matter where they live.

This past fall, I was happy to accept Senator Doug Libla’s invitation to travel to his district to visit some of the wonderful programs helping his constituents in the Bootheel. In fact, along with some of the program leaders, five of the young high school students I met in Caruthersville are here today – Amaud Bates, Tavauna Cobb, Nicole Davis, Shannon Gipson and Angela Wilhoit. Would you please join me in welcoming them to their state capitol? I hope that your first trip to the capitol will inspire you – as it did me when I was your age – to find a place in government service.

I am sure none of us, when we were in high school, imagined we would wind up here. But none of us should forget what led us to serve in the first place. That is why I never want to lose perspective of what it is like for the people who come to our courthouses, maybe for the first time, and who perhaps are overwhelmed by an unfamiliar legal process. Every case that comes before our courts is the most important one in the world to the people involved ... people who are worried about the potential impact on their lives, their families and their pocketbooks.

This is why we are implementing a program of customer surveys focusing on the people who use our courts – litigants, witnesses, jurors, lawyers, social workers and others – as one way to determine how we can do our jobs better and make the process more transparent.

Instead of a “suggestion box,” I wanted to go talk to people directly. So this past summer, I became an “undercover judge” by visiting two courthouses – in Osage and St. Louis counties. I talked with everyone there using the courts. Dressed in casual clothes and tennis shoes, I don’t think anyone knew who I was. I sat shoulder to shoulder with people in the courthouse hallways. I could feel their anxiety, their worry and their apprehension as they waited their turn to appear before the judge. For most, it was their first time in any courtroom, and they did not know what to expect. Many did not have lawyers to help them navigate the unfamiliar turf.

It is important for us to remember that the courts can be a confusing, daunting place for many who come there. But by listening to those we serve, we can make the court process a little more understandable and a little less scary for the average person.

As I told those courthouse visitors last summer – and as I will tell those in the counties I plan to visit later in the year – this is a focal point for me. It is not just one of those surveys where nothing happens. We already are using the information we are learning to see not only what we are doing well but also how we can improve as we chart our course for the future.

***Missouri courts continue to work in cooperation with their “constitutional partners”***

In 1974, Chief Justice Donnelly focused part of his remarks on criminal justice issues. He discussed a proposed revision of the criminal code, which he said at that time had “not been totally reviewed in [more than] a century.”

I remember that undertaking, although I had not yet even entered law school. It was about 1979, and I was a young cub reporter for the Hannibal Courier-Post, assigned to write about the new criminal code that was taking effect. I hate to date myself, but another 35 years have passed, and I am glad you are considering another update so that our criminal justice system may better serve the state.

Last year, there were 232 offenses that were charged only one time anywhere in the state and 130 other offenses that were charged only twice. I think we can all agree that some sensible efforts at streamlining our criminal code are warranted. Our current criminal code has some discrepancies calling into question the concept of “if you do the crime, you’ll do the time.” For instance, if a person drives a vehicle while intoxicated and kills someone, that person may be punished by up to seven years in state prison. But that is the same punishment for a person who writes a bad check for less than \$500. Is that being smart on crime?

It is your prerogative to determine where the problems truly lie and what solutions are most appropriate. We appreciate your careful study – in which you have sought information from prosecutors, public defenders and other lawyers – of updating our criminal code, and we in the courts remain committed to help answer any questions you may have from our perspective. We know how difficult this issue is, and we know it may be hard to reach agreement. But we trust that all of your hard work will produce an improved criminal code that will be beneficial for our entire state.

Much has changed since Chief Justice Donnelly’s days on the Court. Today, our state and municipal courts handle more than 2.5 million cases each year. Much also has changed in the types of evidence we consider. It is not uncommon today to have evidence of DNA and Facebook entries, not to mention tweets and texts and selfies. And so the need for continuing judicial education is critical, and we are proud of the programs we have in place to keep our judges up to date about new laws and new procedures.

***Missouri courts continue to be prudent stewards of public funds***

But one thing that has not changed is our continued commitment to being prudent stewards of public funds. One example is a new effort

underway to better manage adults awaiting trial for criminal charges, which can be a big relief for counties that are financially strapped because of jail overcrowding.

These innovative pretrial services programs are proving their worth. They keep potentially dangerous offenders off the street before trial but allow those who pose no known threat to be monitored outside of jail while awaiting their court appearance. These programs result in significant savings for counties and their taxpayers by reducing jail overcrowding.

Greene County has seen dramatic savings. In the last two years alone, its program resulted in a net savings of almost \$4 million – even with the cost of the staff running the program included.

With results like these, it should not surprise you that similar programs exist in Cole, Boone and Jackson counties as well and that several other counties are considering adding the program. I encourage you to partner with your local officials to determine whether a program like this might help your county save money. In Greene County, local judges worked with their county commission to establish the pretrial services program there. Those judges – Don Burrell, Mark Powell and Miles Sweeney – are here today along with one of their county commissioners, Roseann Bentley. Would you all please stand and be recognized?

Another illustration of how the courts are working with our partners throughout government to be prudent stewards of the public's resources is the increased use of videoconferencing. This technology, which replaces in-person hearings, results in reduced transportation costs for counties and the department of corrections alike. It also decreases the risk to law enforcement officers while increasing public safety. In addition, videoconferencing is useful in mental health cases, preserving the dignity of the person involved. As we develop more uses for this technology, these savings will continue to grow.

We have partnered with you to create several programs that improve our financial stewardship and aid the entire state. Income tax offsets, debt collection efforts and allowing litigants to pay court debts over time have resulted in almost \$26 million in revenue to the state that otherwise would have gone uncollected. And this money goes not to the courts, but to the state and local entities you designate.

Through efforts like these, we in the courts are doing what we can – as one co-equal branch of government – to be efficient with the public's funding. We look forward to continuing to work with you and with all our government partners in the future to provide even more responsible stewardship.

We respect the work you do and the many tough decisions you face as you write the laws for our state. We also appreciate the sacrifices that you and your loved ones make so that you can serve in these majestic chambers. Family support is essential for any of us to do our jobs. Like you, I have enjoyed the support of a wonderful family along the way, and they have made even the toughest days of my career more meaningful. I'd like to acknowledge one of them now. Would you please welcome my husband, Jim, a former member of this House?

In honor of this 40th anniversary of the first state of the judiciary, I end with some of Chief Justice Donnelly's closing remarks: "We seek, as you do, to be a strong, contributing partner to our Missouri state government ... to serve our citizens in a responsive and responsible manner. ... [W]e can do it together."

As your constitutional partners, we look forward to working with you to make Missouri's courts better for everyone. Thank you.

On motion of Senator Richard, the Joint Session was dissolved and the Senators returned to the Chamber where they were called to order by Senator Lager.

## **REFERRALS**

President Pro Tem Dempsey referred **SCR 24** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

## **INTRODUCTIONS OF GUESTS**

Senator Holsman introduced to the Senate, Michael Kilgore, Kansas City.

Senator Richard introduced to the Senate, Butch Beeman, Harrisonville; Jene Crook, Marshall; Christy Cubbage and Tom Lanio, Kansas City; Sondra DePriest, Savannah; Sonny Evers, Eldon; Jim Hillin, Cape Girardeau; Ven Houts, Kirkwood; Amanda Koehler, Ballwin; John Lindbloom, Wildwood; Steve Mathias and Dave Ruth, St. Louis; Dana McIntire, Adrian; Dave Myers, Rogersville; Nick Myers, Joplin; and Steve

York, Lee's Summit, members of Missouri Society of CPAs.

Senator Brown introduced to the Senate, Emma Vincent, Rolla.

Senator Dixon introduced to the Senate, former State Representative Sara Lampe, Springfield.

Senator Lamping introduced to the Senate, the Physician of the Day, Charles Willey, M.D., St. Louis.

Senator Pearce introduced to the Senate, Becky Flaherty, Northwest Missouri Area Agency on Aging.

On motion of Senator Richard, the Senate adjourned under the rules.

## SENATE CALENDAR

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NINTH DAY—THURSDAY, JANUARY 23, 2014

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## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 614-Dixon	SB 635-Silvey and Holsman
SB 615-Dixon	SB 636-LeVota
SB 616-Nasheed	SB 637-Rupp
SB 617-Rupp	SB 638-Romine
SB 618-Nieves	SB 639-Brown
SB 619-Nieves	SB 640-Emery
SB 620-Nieves	SB 641-Emery
SB 621-Dixon	SB 642-Romine
SB 622-Nieves	SB 643-Rupp
SB 623-Nieves	SB 644-LeVota
SB 624-LeVota	SB 645-LeVota
SB 625-Sater and Munzlinger	SB 646-LeVota
SB 626-LeVota	SB 647-Sifton
SB 627-LeVota	SB 648-LeVota
SB 628-Schaaf	SB 649-Lager
SB 629-Kraus	SB 650-Lager
SB 630-Wallingford	SB 651-Lager
SB 631-Wallingford	SB 652-Lager
SB 632-Parson	SB 653-Lager
SB 633-Parson	SB 654-Keaveny
SB 634-Parson	SB 655-Kraus

SB 656-Kraus	SB 696-Schaefer
SB 657-Kraus	SB 697-Schaefer
SB 658-Wallingford	SB 698-Justus
SB 659-Wallingford	SB 699-Pearce
SB 660-Wallingford	SB 700-Sater
SB 661-LeVota	SB 701-Lager
SB 662-Kraus	SB 702-Lager
SB 663-Munzlinger	SB 703-Lager
SB 664-Brown	SB 704-Lager
SB 665-LeVota	SB 705-Lager
SB 666-Schmitt	SB 706-Cunningham
SB 667-Schmitt	SB 707-Wasson
SB 668-Silvey	SB 708-Sifton
SB 669-Schaaf	SB 709-Wallingford
SB 670-Sater	SB 710-Walsh
SB 671-Sater	SB 711-Walsh
SB 672-Parson	SB 712-Walsh
SB 673-Kehoe and Wallingford	SB 713-Emery
SB 674-Kehoe	SRB 714-Lager
SB 675-Kehoe	SRB 715-Lager
SB 676-Curls	SB 716-Brown
SB 677-Curls	SB 717-Brown
SB 678-Curls	SB 718-Richard
SB 679-Curls	SB 719-Kehoe
SB 680-Curls	SB 720-Justus
SB 681-Curls	SB 721-Justus
SB 682-Curls	SB 722-Justus
SB 683-Curls and Keaveny	SB 723-Parson
SB 684-Holsman	SB 724-Parson
SB 685-LeVota	SB 725-Nieves
SB 686-LeVota	SB 726-Chappelle-Nadal
SB 687-LeVota	SB 727-Chappelle-Nadal
SB 688-LeVota	SB 728-Sifton
SB 689-Schmitt, et al	SB 729-Romine
SB 690-Wasson	SB 730-Nasheed
SB 691-Wasson	SB 731-Nasheed
SB 692-Wasson	SB 732-Keaveny
SB 693-Parson	SB 733-Schaefer
SB 694-Cunningham	SB 734-Cunningham
SB 695-Keaveny	SB 735-Brown



SB 736-Sater	SB 755-Wallingford
SB 737-Walsh	SB 756-Schaefer
SB 738-Walsh	SB 757-Justus
SB 739-Romine	SB 758-Justus
SB 740-Lamping, et al	SB 759-Sifton
SB 741-Rupp	SB 760-Chappelle-Nadal
SB 742-Schmitt	SB 761-Wallingford
SB 743-Schmitt	SB 762-Schaefer
SB 744-Nieves	SB 763-Schaefer
SB 745-Munzlinger	SB 764-Lager
SB 746-Munzlinger	SJR 36-Schaefer and Richard
SB 747-Munzlinger	SJR 37-Dixon
SB 748-Walsh	SJR 38-Nieves
SB 749-Walsh	SJR 39-Dixon
SB 750-Walsh	SJR 40-Curls
SB 751-LeVota	SJR 41-Curls
SB 752-LeVota	SJR 42-Schmitt
SB 753-Keaveny	SJR 43-Lamping
SB 754-Sater and Justus	SJR 44-Schaefer

## INFORMAL CALENDAR

### RESOLUTIONS

#### To be Referred

SCR 25-Sifton

SCR 26-Chappelle-Nadal, et al

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# Journal of the Senate

## SECOND REGULAR SESSION

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**NINTH DAY—THURSDAY, JANUARY 23, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Joy does not simply happen to us. We have to choose joy and keep choosing it every day.” (Henri Nouwen)

We know, O God, that as we seek Your presence in our lives there is experienced the fullness of joy. Help us make that a conscious choice every day to seek You, for that joy is something we can share with those we love and those we serve. Let us choose to seek You this weekend and find what helps us to live more effectively and joyfully. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

**Present—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

**Absent—Senators—None**

**Absent with leave—Senator Kehoe—1**

**Vacancies—1**

The Lieutenant Governor was present.

## **RESOLUTIONS**

Senator Nieves offered Senate Resolution No. 1133, regarding Antonio “Tony” DiCampo, Wildwood,

which was adopted.

Senator Nieves offered Senate Resolution No. 1134, regarding Calvin Blaser, Wildwood, which was adopted.

Senator Nieves offered Senate Resolution No. 1135, regarding Andrew “AJ” Nolan, Grover, which was adopted.

Senator Nieves offered Senate Resolution No. 1136, regarding Reilly Lewis, Wildwood, which was adopted.

Senator Nieves offered Senate Resolution No. 1137, regarding Grant McDaniel, Wildwood, which was adopted.

Senator Nieves offered Senate Resolution No. 1138, regarding Zachary Muller, Wildwood, which was adopted.

Senator Nieves offered Senate Resolution No. 1139, regarding Michael Colletti, Wildwood, which was adopted.

Senator Lager offered Senate Resolution No. 1140, regarding Class 3 State Champion Maryville High School football program, which was adopted.

Senator Cunningham offered Senate Resolution No. 1141, regarding Donna Kay Kirby, Doniphan, which was adopted.

Senator Cunningham offered Senate Resolution No. 1142, regarding the One Hundredth Birthday of Georgia Washington Case McCall, Elkland, which was adopted.

Senator Schaefer offered Senate Resolution No. 1143, regarding Sabra Tull Meyer, Columbia, which was adopted.

Senator Richard offered Senate Resolution No. 1144, regarding Margaret “Meg” Bourne Hulsey, Joplin, which was adopted.

Senator Brown offered Senate Resolution No. 1145, regarding Justin P. Butkovich, Edgar Springs, which was adopted.

### **INTRODUCTION OF BILLS**

The following Bills and Joint Resolutions were read the 1st time and ordered printed:

**SB 765**—By Chappelle-Nadal.

An Act to amend chapter 162, RSMo, by adding thereto one new section relating to transient students.

**SB 766**—By Keaveny.

An Act to repeal sections 400.9-102, 400.9-105, 400.9-311, 400.9-317, 400.9-326, 400.9-503, 400.9-507, 400.9-516, 400.9-607, 400.9-802, 400.9-805, 400.9-806, and 400.2A-103, RSMo, and to enact in lieu thereof thirteen new sections relating to secured transactions.

**SB 767**—By Schmitt, Walsh, Sifton, Chappelle-Nadal and Nieves.

An Act to amend chapter 44, RSMo, by adding thereto one new section relating to the creation of a voluntary registry of persons with health-related ailments to assist individuals in case of a disaster or

emergency.

**SB 768**—By Pearce.

An Act to repeal section 182.802, RSMo, and to enact in lieu thereof one new section relating to public library district sales taxes.

**SB 769**—By Pearce.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to the treatment of eating disorders.

**SB 770**—By Wallingford.

An Act to repeal sections 188.015 and 188.030, RSMo, and to enact in lieu thereof two new sections relating to the protection of women's health care, with existing penalty provisions.

**SB 771**—By Sater.

An Act to amend chapter 570, RSMo, by adding thereto one new section relating to the offense of possession or transfer of an automated sales suppression device, with penalty provisions.

**SB 772**—By Lamping.

An Act to repeal section 143.011, RSMo, and to enact in lieu thereof one new section relating to income tax.

**SB 773**—By Rupp.

An Act to repeal section 190.105, RSMo, and to enact in lieu thereof one new section relating to ground ambulance operators.

**SB 774**—By Dempsey.

An Act to repeal sections 99.805 and 99.825, RSMo, and to enact in lieu thereof two new sections relating to tax increment financing.

**SB 775**—By Walsh.

An Act to repeal sections 546.680, 546.690, 546.700, 546.710, 546.720, 546.730, 546.740, 546.750, 546.800, 546.810, 546.820, 565.004, 565.006, 565.020, 565.030, 565.032, 565.035, and 565.040, RSMo, and to enact in lieu thereof four new sections relating to repealing the death penalty, with penalty provisions.

**SJR 45**—By Silvey.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 27 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the ability of the governor to control the rate of and reduce expenditures.

**SJR 46**—By Emery.

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing sections 1 and 6(a) of article X of the Constitution of Missouri, and adopting eleven new sections in lieu thereof relating to taxation.

**SJR 47**—By Lager.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 17 of

article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to term limits for statewide elected officials.

Senator Pearce assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Bryan Chapman, as a member of the Missouri Dental Board;

Also,

Bradley Calvin and Gary Rogles, as members of the Board of Boiler and Pressure Vessel Rules;

Also,

David C. Dwyer, Independent, as a member of the Amusement Ride Safety Board;

Also,

Craig W. Smith, Independent, as a member of the State Committee of Marital and Family Therapists;

Also,

Kevin B. Cantwell, Independent, as a member of the Regional Convention and Sports Complex Authority;

Also,

Renee Stucky, as a member of the State Committee of Psychologists;

Also,

Wendy D. Davis, as a member of the Missouri Planning Council for Developmental Disabilities;

Also,

Josef Denother, as a member of the Missouri Electronic Prior Authorization Committee; and

Ashley McCarty, Democrat, as a member of the Clean Water Commission of the State of Missouri.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

### **REFERRALS**

President Pro Tem Dempsey referred **SCR 25** and **SCR 26** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

**SECOND READING OF SENATE BILLS**

The following Bills were read the 2nd time and referred to the Committees indicated:

**SB 614**—Judiciary and Civil and Criminal Jurisprudence.

**SB 615**—Judiciary and Civil and Criminal Jurisprudence.

**SB 616**—Education.

**SB 617**—Small Business, Insurance and Industry.

**SB 618**—General Laws.

**SB 619**—General Laws.

**SB 620**—Governmental Accountability and Fiscal Oversight.

**SB 621**—Judiciary and Civil and Criminal Jurisprudence.

**SB 622**—General Laws.

**SB 623**—Financial and Governmental Organizations and Elections.

**SB 624**—Education.

**SB 625**—Judiciary and Civil and Criminal Jurisprudence.

**SB 626**—Education.

**SB 627**—Rules, Joint Rules, Resolutions and Ethics.

**SB 628**—Education.

**SB 629**—Rules, Joint Rules, Resolutions and Ethics.

**SB 630**—Financial and Governmental Organizations and Elections.

**SB 631**—Financial and Governmental Organizations and Elections.

**SB 632**—Jobs, Economic Development and Local Government.

**SB 633**—Jobs, Economic Development and Local Government.

**SB 634**—Small Business, Insurance and Industry.

**SB 635**—Jobs, Economic Development and Local Government.

**SB 636**—Judiciary and Civil and Criminal Jurisprudence.

**SB 637**—Education.

**SB 638**—Jobs, Economic Development and Local Government.

**SB 639**—Veterans' Affairs and Health.

**SB 640**—Judiciary and Civil and Criminal Jurisprudence.

**SB 641**—Seniors, Families and Pensions.

**SB 642**—Commerce, Consumer Protection, Energy and the Environment.

**SB 643**—Governmental Accountability and Fiscal Oversight.

**SB 644**—Governmental Accountability and Fiscal Oversight.

**SB 645**—Financial and Governmental Organizations and Elections.

**SB 646**—Agriculture, Food Production and Outdoor Resources.

**SB 647**—Jobs, Economic Development and Local Government.

**SB 648**—Financial and Governmental Organizations and Elections.

**SB 649**—Commerce, Consumer Protection, Energy and the Environment.

**SB 650**—Commerce, Consumer Protection, Energy and the Environment.

**SB 651**—Commerce, Consumer Protection, Energy and the Environment.

**SB 652**—Commerce, Consumer Protection, Energy and the Environment.

**SB 653**—Commerce, Consumer Protection, Energy and the Environment.

**SB 654**—Judiciary and Civil and Criminal Jurisprudence.

**SB 655**—Financial and Governmental Organizations and Elections.

**SB 656**—General Laws.

**SB 657**—Financial and Governmental Organizations and Elections.

**SB 658**—Judiciary and Civil and Criminal Jurisprudence.

**SB 659**—Financial and Governmental Organizations and Elections.

**SB 660**—Seniors, Families and Pensions.

**SB 661**—Veterans' Affairs and Health.

**SB 662**—Ways and Means.

**SB 663**—Small Business, Insurance and Industry.

**SB 664**—Commerce, Consumer Protection, Energy and the Environment.

**SB 665**—Judiciary and Civil and Criminal Jurisprudence.

**SB 666**—Jobs, Economic Development and Local Government.

**SB 667**—Rules, Joint Rules, Resolutions and Ethics.

**SB 668**—Small Business, Insurance and Industry.

## **COMMUNICATIONS**

President Pro Tem Dempsey submitted the following:

January 23, 2014

Terry Spieler  
Secretary of the Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler,

I am appointing Senator Dan Brown to the Missouri Tourism Commission.

Please do not hesitate to contact me should you have any questions.

Sincerely,  
/s/ Tom Dempsey  
Tom Dempsey

### **RESOLUTIONS**

Senator Dempsey offered Senate Resolution No. 1146, regarding Jan Beardsley, which was adopted.

Senator Dempsey offered Senate Resolution No. 1147, regarding James P. Devereux, Sr., which was adopted.

Senator Dempsey offered Senate Resolution No. 1148, regarding Russ Lake, which was adopted.

Senator Dempsey offered Senate Resolution No. 1149, regarding Lisa Baue, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Pearce introduced to the Senate, Keith Crumley, Sedalia; and Mark Ronco, and his wife, Lisa, Lee's Summit.

Senator Lamping introduced to the Senate, the Physician of the Day, Robb Hicks, M.D., St. Louis.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, January 27, 2014.

### **SENATE CALENDAR**

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TENTH DAY—MONDAY, JANUARY 27, 2014

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### **FORMAL CALENDAR**

### **SECOND READING OF SENATE BILLS**

SB 669-Schaaf  
SB 670-Sater

SB 671-Sater  
SB 672-Parson



SB 673-Kehoe and Wallingford	SB 713-Emery
SB 674-Kehoe	SRB 714-Lager
SB 675-Kehoe	SRB 715-Lager
SB 676-Curls	SB 716-Brown
SB 677-Curls	SB 717-Brown
SB 678-Curls	SB 718-Richard
SB 679-Curls	SB 719-Kehoe
SB 680-Curls	SB 720-Justus
SB 681-Curls	SB 721-Justus
SB 682-Curls	SB 722-Justus
SB 683-Curls and Keaveny	SB 723-Parson
SB 684-Holsman	SB 724-Parson
SB 685-LeVota	SB 725-Nieves
SB 686-LeVota	SB 726-Chappelle-Nadal
SB 687-LeVota	SB 727-Chappelle-Nadal
SB 688-LeVota	SB 728-Sifton
SB 689-Schmitt, et al	SB 729-Romine
SB 690-Wasson	SB 730-Nasheed
SB 691-Wasson	SB 731-Nasheed
SB 692-Wasson	SB 732-Keaveny
SB 693-Parson	SB 733-Schaefer
SB 694-Cunningham	SB 734-Cunningham
SB 695-Keaveny	SB 735-Brown
SB 696-Schaefer	SB 736-Sater
SB 697-Schaefer	SB 737-Walsh
SB 698-Justus	SB 738-Walsh
SB 699-Pearce	SB 739-Romine
SB 700-Sater	SB 740-Lamping, et al
SB 701-Lager	SB 741-Rupp
SB 702-Lager	SB 742-Schmitt
SB 703-Lager	SB 743-Schmitt
SB 704-Lager	SB 744-Nieves
SB 705-Lager	SB 745-Munzlinger
SB 706-Cunningham	SB 746-Munzlinger
SB 707-Wasson	SB 747-Munzlinger
SB 708-Sifton	SB 748-Walsh
SB 709-Wallingford	SB 749-Walsh
SB 710-Walsh	SB 750-Walsh
SB 711-Walsh	SB 751-LeVota
SB 712-Walsh	SB 752-LeVota

SB 753-Keaveny	SB 771-Sater
SB 754-Sater and Justus	SB 772-Lamping
SB 755-Wallingford	SB 773-Rupp
SB 756-Schaefer	SB 774-Dempsey
SB 757-Justus	SB 775-Walsh
SB 758-Justus	SJR 36-Schaefer and Richard
SB 759-Sifton	SJR 37-Dixon
SB 760-Chappelle-Nadal	SJR 38-Nieves
SB 761-Wallingford	SJR 39-Dixon
SB 762-Schaefer	SJR 40-Curls
SB 763-Schaefer	SJR 41-Curls
SB 764-Lager	SJR 42-Schmitt
SB 765-Chappelle-Nadal	SJR 43-Lamping
SB 766-Keaveny	SJR 44-Schaefer
SB 767-Schmitt, et al	SJR 45-Silvey
SB 768-Pearce	SJR 46-Emery
SB 769-Pearce	SJR 47-Lager
SB 770-Wallingford	

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# Journal of the Senate

## SECOND REGULAR SESSION

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**TENTH DAY—MONDAY, JANUARY 27, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Hear my cry, O God; listen to my prayer. From the end of the earth I call to you,...” (Psalm 61:1)

We call on You, O Lord, to hear our prayers. We give thanks for our safe travel and the work You have given us to do here. We ask, gracious Father, to bless us with Your presence and guide our thoughts and actions this day. And we give thanks and pray for our former doorman Ken Holman and his family at his death this weekend. Strengthen them in patience, comfort them with the memory of Your goodness and grant them Your peace. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 23, 2014 was read and approved.

The following Senators were present during the day’s proceedings:

**Present—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—31	

**Absent—Senators—None**

**Absent with leave—Senators**

Rupp                      Wasson—2

**Vacancies—1**

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Justus offered Senate Resolution No. 1150, regarding Peggy Eads, Holts Summit, which was

adopted.

Senator Sifton offered Senate Resolution No. 1151, regarding Peter Sargent, Webster Groves, which was adopted.

Senator Kehoe offered Senate Resolution No. 1152, regarding the death of Charlene Elizabeth Mitchell, Jefferson City, which was adopted.

Senator Pearce offered Senate Resolution No. 1153, regarding Joseph Wesley Ward, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1154, regarding Landon LaVon Young, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1155, regarding Daric Joe Dixon, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1156, regarding Kyle Wittrock, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1157, regarding Joshua Ryan Raub, Centerview, which was adopted.

Senator Pearce offered Senate Resolution No. 1158, regarding Thomas J. Hitchcock, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1159, regarding Justin Dean, Warrensburg, which was adopted.

Senator Schaaf offered Senate Resolution No. 1160, regarding the Sixty-second Wedding Anniversary of Mr. and Mrs. Richard Harris, St. Joseph, which was adopted.

Senator Schaaf offered Senate Resolution No. 1161, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Leonard A. Smith, St. Joseph, which was adopted.

Senator Emery offered Senate Resolution No. 1162, regarding Clinton Main Street, Inc., which was adopted.

Senator Dempsey offered Senate Resolution No. 1163, regarding the Missouri Court Reporters Association, which was adopted.

Senator Kehoe offered Senate Resolution No. 1164, regarding Eugene High School FFA program, which was adopted.

Senator Richard offered Senate Resolution No. 1165, regarding Glen Paul Roark, Neosho, which was adopted.

Senator Holsman offered Senate Resolution No. 1166, regarding University of Missouri-Kansas City Conservatory of Music and Dance, which was adopted.

Senator Holsman offered Senate Resolution No. 1167, regarding the City of Kansas City, which was adopted.

Senator Parson offered the following resolution:

## SENATE RESOLUTION NO. 1168

WHEREAS, liquefied petroleum gas, or propane, is a vital source of energy for many citizens in the state of Missouri; and

WHEREAS, propane is commonly used for heating homes, cooking, refrigeration, and transportation; and

WHEREAS, citizens in the state of Missouri are dependent on propane as an energy source, especially during the winter season; and

WHEREAS, the 1,900 mile, 70,000 barrels of propane per day Cochin pipeline from Alberta, Canada was closed for a large portion of December; and

WHEREAS, 189,000 barrels of propane per day were exported from the United States in October 2012, while 408,000 barrels of propane per day were exported in October 2013; and

WHEREAS, current inventories of propane can supply only 24 days of consumer demand, compared with 42 days a year ago; and

WHEREAS, there are two primary storage facilities for propane in the Midwest located respectively in Mont Belvieu, Texas and Conway, Kansas; and

WHEREAS, while Mont Belvieu, Texas, is home to the largest storage facility for propane, Conway, Kansas, is also a pricing hub; and

WHEREAS, propane located at the storage facility in Conway, Kansas traded as high as \$2.15 per gallon in the third week of January 2014, while propane located at the storage facility in Mont Belvieu, Texas traded at \$1.48 per gallon; and

WHEREAS, a gallon of residential propane in the Midwest cost \$2.433 during the third week of January 2014, while costing \$1.715 a year earlier; and

WHEREAS, the closure of the Cochin pipeline, the increased amount of exports, the drastic increase in price, and the difference in price among propane storage facilities has resulted in the inaccessibility of propane to the citizens of Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, hereby strongly urge the United States Department of Justice to investigate the price increase of propane, the price disparity of propane among storage facilities, and the supply shortage of propane available to consumers; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Attorney General of the United States, each member of the Missouri Congressional delegation, and Governor Jay Nixon.

Senator Brown offered Senate Resolution No. 1169, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Dick Morris, Camdenton, which was adopted.

Senator Schmitt assumed the Chair.

**INTRODUCTION OF BILLS**

The following Bills and Joint Resolution were read the 1st time and ordered printed:

**SB 776**—By Nieves.

An Act to amend chapter 544, RSMo, by adding thereto three new sections relating to required procedures for the service of warrants, with penalty provisions.

**SB 777**—By Nieves.

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to sales and use tax exemptions for aircraft.

**SB 778**—By Nieves.

An Act to repeal section 1.320, RSMo, and to enact in lieu thereof two new sections relating to firearms, with penalty provisions and a contingent effective date for a certain section.

**SB 779**—By Munzlinger.

An Act to repeal section 105.935, RSMo, and to enact in lieu thereof one new section relating to state employees.

**SB 780**—By LeVota.

An Act to repeal section 82.300, RSMo, and to enact in lieu thereof one new section relating to the authority of certain constitutional charter cities to adopt certain types of ordinances.

**SB 781**—By LeVota.

An Act to repeal section 115.353, RSMo, and to enact in lieu thereof one new section relating to boards of elections.

**SB 782**—By Romine.

An Act to repeal section 168.021, RSMo, and to enact in lieu thereof one new section relating to certification by the American Board for Certification of Teacher Excellence.

**SB 783**—By Romine.

An Act to repeal section 443.035, RSMo, and to enact in lieu thereof one new section relating to the priority of security instruments.

**SB 784**—By Romine.

An Act to repeal section 194.255, RSMo, and to enact in lieu thereof one new section relating to anatomical gifts.

**SB 785**—By Kehoe.

An Act to repeal section 306.127, RSMo, and to enact in lieu thereof one new section relating to temporary boating safety identification cards.

**SB 786**—By Schmitt.

An Act to repeal section 311.055, RSMo, and to enact in lieu thereof one new section relating to intoxicating liquor manufactured for personal or family use.

President Pro Tem Dempsey assumed the Chair.

**SJR 48**—By Kehoe.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 30(d) of article IV of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to a temporary tax to improve the state highway system, city streets, county roads and the state transportation system.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SJR 30**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 507**, begs leave to report that it has considered the same and recommends that the bill do pass.

### **COMMUNICATIONS**

President Pro Tem Dempsey submitted the following:

January 24, 2014

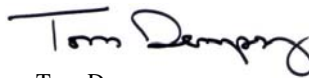
Terry Spieler  
Secretary of the Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler,

I am appointing Senator Jolie Justus to the Missouri Tourism Commission.

Please do not hesitate to contact me should you have any questions.

Sincerely,



Tom Dempsey

Also,


January 24, 2014

Terry Spieler  
Secretary of the Senate  
State Capitol Building  
Jefferson City, MO 65101

Dear Ms. Spieler,

I am appointing Senator Bob Dixon and Senator Scott Sifton to the Joint Committee on Transportation Oversight. If you have any questions, please do not hesitate to contact my office.

Sincerely,



Tom Dempsey

President Pro Tem

### **INTRODUCTIONS OF GUESTS**

Senator Chappelle-Nadal introduced to the Senate, Steven Clark, University City.

Senator Pearce introduced to the Senate, Andrew Wakeman, Holden.

The President introduced to the Senate, Stephanie Grillo, St. Louis.

Senator Curls introduced to the Senate, Revered John Modest Miles and Revered Kenneth Ray, Kansas City.

On motion of Senator Richard, the Senate adjourned under the rules.

## SENATE CALENDAR

ELEVANTH DAY—TUESDAY, JANUARY 28, 2014

## FORMAL CALENDAR

## SECOND READING OF SENATE BILLS

SB 669-Schaaf	SB 706-Cunningham
SB 670-Sater	SB 707-Wasson
SB 671-Sater	SB 708-Sifton
SB 672-Parson	SB 709-Wallingford
SB 673-Kehoe and Wallingford	SB 710-Walsh
SB 674-Kehoe	SB 711-Walsh
SB 675-Kehoe	SB 712-Walsh
SB 676-Curls	SB 713-Emery
SB 677-Curls	SRB 714-Lager
SB 678-Curls	SRB 715-Lager
SB 679-Curls	SB 716-Brown
SB 680-Curls	SB 717-Brown
SB 681-Curls	SB 718-Richard
SB 682-Curls	SB 719-Kehoe
SB 683-Curls and Keaveny	SB 720-Justus
SB 684-Holsman	SB 721-Justus
SB 685-LeVota	SB 722-Justus
SB 686-LeVota	SB 723-Parson
SB 687-LeVota	SB 724-Parson
SB 688-LeVota	SB 725-Nieves
SB 689-Schmitt, et al	SB 726-Chappelle-Nadal
SB 690-Wasson	SB 727-Chappelle-Nadal
SB 691-Wasson	SB 728-Sifton
SB 692-Wasson	SB 729-Romine
SB 693-Parson	SB 730-Nasheed
SB 694-Cunningham	SB 731-Nasheed
SB 695-Keaveny	SB 732-Keaveny
SB 696-Schaefer	SB 733-Schaefer
SB 697-Schaefer	SB 734-Cunningham
SB 698-Justus	SB 735-Brown
SB 699-Pearce	SB 736-Sater
SB 700-Sater	SB 737-Walsh
SB 701-Lager	SB 738-Walsh
SB 702-Lager	SB 739-Romine
SB 703-Lager	SB 740-Lamping, et al
SB 704-Lager	SB 741-Rupp
SB 705-Lager	SB 742-Schmitt



SB 743-Schmitt	SB 773-Rupp
SB 744-Nieves	SB 774-Dempsey
SB 745-Munzlinger	SB 775-Walsh
SB 746-Munzlinger	SB 776-Nieves
SB 747-Munzlinger	SB 777-Nieves
SB 748-Walsh	SB 778-Nieves
SB 749-Walsh	SB 779-Munzlinger
SB 750-Walsh	SB 780-LeVota
SB 751-LeVota	SB 781-LeVota
SB 752-LeVota	SB 782-Romine
SB 753-Keaveny	SB 783-Romine
SB 754-Sater and Justus	SB 784-Romine
SB 755-Wallingford	SB 785-Kehoe
SB 756-Schaefer	SB 786-Schmitt
SB 757-Justus, et al	SJR 36-Schaefer and Richard
SB 758-Justus	SJR 37-Dixon
SB 759-Sifton	SJR 38-Nieves
SB 760-Chappelle-Nadal	SJR 39-Dixon
SB 761-Wallingford	SJR 40-Curls
SB 762-Schaefer	SJR 41-Curls
SB 763-Schaefer	SJR 42-Schmitt
SB 764-Lager	SJR 43-Lamping
SB 765-Chappelle-Nadal	SJR 44-Schaefer
SB 766-Keaveny	SJR 45-Silvey
SB 767-Schmitt, et al	SJR 46-Emery
SB 768-Pearce	SJR 47-Lager
SB 769-Pearce	SJR 48-Kehoe
SB 770-Wallingford	
SB 771-Sater	
SB 772-Lamping	

## SENATE BILLS FOR PERFECTION

SJR 30-Dixon

SB 507-Dixon

## INFORMAL CALENDAR

### RESOLUTIONS

To be Referred

SR 1168-Parson



# Journal of the Senate

## SECOND REGULAR SESSION

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**ELEVENTH DAY—TUESDAY, JANUARY 28, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The heavens are telling the glory of God; and the firmament proclaims his handiwork.” (Psalm 19:1)

Almighty God, we humble servants give You thanks for Your goodness and loving kindness to us. We are blessed with a wondrous world from which Your blessings flow to us, Your children. We pray give us such an awareness of Your mercies that with truly thankful hearts we may show forth praise not only with our lips but also in our lives by giving ourselves to Your service. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Schaaf offered Senate Resolution No. 1170, regarding Grant Bess, Platte Woods, which was adopted.

Senator Schaaf offered Senate Resolution No. 1171, regarding Zachary Bischler, Platte Woods, which was adopted.

Senator Schaaf offered Senate Resolution No. 1172, regarding Clayton Riley Shruga, Platte Woods, which was adopted.

Senator Schaaf offered Senate Resolution No. 1173, regarding Zachary Watson, Platte Woods, which was adopted.

Senator Schaaf offered Senate Resolution No. 1174, regarding Harrison Hugh Ramsden, Platte Woods, which was adopted.

Senator Schaaf offered Senate Resolution No. 1175, regarding Scott Cameron Patton, Kansas City, which was adopted.

Senator Schaaf offered Senate Resolution No. 1176, regarding the One Hundredth Birthday of Erma Brychta, St. Joseph, which was adopted.

**CONCURRENT RESOLUTIONS**

Senator Keaveny offered the following concurrent resolution:

**SENATE CONCURRENT RESOLUTION NO. 27**

WHEREAS, the state of Missouri has executed 355 people since becoming a state, and 44 more currently sit on death row; and

WHEREAS, a team assembled by the American Bar Association, in its review of the death penalty in Missouri, found the state in compliance with only 9 out of 95 best practices to ensure that innocent people are not executed; and

WHEREAS, several people have been wrongfully convicted of murder in the state because of eyewitness misidentification, false confessions, and untruthful jailhouse informant testimony; and

WHEREAS, other states, including Illinois in 2011, have abolished the death penalty and noted the significant number of people on death row who were later found innocent; and

WHEREAS, the state's deputy public defender has testified that abolishing the death penalty would alleviate attorney shortages within the state's public defender system without the need for additional appropriations because staff members currently assigned to capital cases could be reassigned to other divisions; and

WHEREAS, death penalty cases cost the underfunded Missouri state public defender system 7 to 10 times more to defend than other murder cases; and

WHEREAS, a comparison of the costs of death penalty cases to other murder cases in the state of Kansas found that costs of adjudicating the death penalty cases exceeded the costs of other homicide cases by 70 percent; and

WHEREAS, a study in Florida determined the state would save \$51 million each year if it abolished the death penalty; and

WHEREAS, the death penalty has been ranked by a national survey of police chiefs as the least effective tool for reducing violent crime and eighty-eight percent of criminologists have found the death penalty does not curtail incidents of murder; and

WHEREAS, a comprehensive study of the costs of the death penalty is necessary to determine how much this ineffective public policy is costing the state of Missouri in these times of significant budgetary shortages; and

WHEREAS, Section 23.170, RSMo, requires the Oversight Division of the Committee on Legislative Research to conduct audits as directed by any concurrent resolution duly adopted by the General Assembly:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby direct the Oversight Division of the Committee on Legislative Research to study the costs, both direct and indirect, born by county and state governments in the prosecution and defense of at least ten cases filed on or after January 1, 1990, in which a death sentence was sought and was imposed and compare such costs to the costs of an equal number of first degree murder cases filed on or after January 1, 1990, in which a death sentence was not sought and the defendant was sentenced to life without the possibility for parole, and an equal number of first degree murder cases filed on or after January 1, 1990, in which a death sentence was sought, but the defendant was sentenced to life without the possibility for parole at the conclusion of a sentencing phase. The comparison shall include, as estimated by the Oversight Division to be related to the cases, the costs of staff salaries, benefits, contracts for assistance, and operating expenses for: the attorney general's office; the department of corrections, including costs related to housing inmates sentenced to death and carrying out the death penalty; prosecuting and circuit attorneys, including expenses in preparing for the presentation of aggravating and mitigating circumstances with respect to sentencing proceedings in death penalty cases, expert witness fees, and additional investigations; the Missouri state public defender system; and the supreme court, courts of appeals, and circuit courts; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution to the Oversight Division of the Committee on Legislative Research.

### **INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 787**—By Justus.

An Act to repeal sections 536.010 and 546.710, RSMo, and to enact in lieu thereof two new sections relating to the capital sentencing procedures and protocols commission, with an emergency clause.

**SB 788**—By Brown.

An Act to amend chapter 313, RSMo, by adding thereto one new section relating to sweepstakes terminal devices.

**SB 789**—By Dixon.

An Act to repeal section 29.235, RSMo, and to enact in lieu thereof one new section relating to the authority of the office of state auditor.

**SB 790**—By Dixon.

An Act to repeal sections 556.061, 565.020, 565.030, 565.032, and 565.040, RSMo, and to enact in lieu thereof six new sections relating to first degree murder, with penalty provisions, an emergency clause for certain sections and an effective date for a certain section.

**SB 791**—By Parson and Schaaf.

An Act to repeal section 578.120, RSMo, and to enact in lieu thereof one new section relating to Sunday motorcycle sales, with an existing penalty provision.

**SB 792**—By Parson.

An Act to repeal section 595.030, RSMo, and to enact in lieu thereof one new section relating to the crime victims' compensation program.

**SB 793**—By Dixon.

An Act to repeal sections 56.110, 478.240, 544.250, 550.040, and 550.060, RSMo, and to enact in lieu thereof four new sections relating to criminal procedure.

President Pro Tem Dempsey assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 492**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which were referred **SB 509** and **SB 496**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

### **SENATE BILLS FOR PERFECTION**

At the request of Senator Dixon, **SJR 30** was placed on the Informal Calendar.

Senator Dixon moved that **SB 507** be taken up for perfection, which motion prevailed.

Senator Dixon offered **SS** for **SB 507**, entitled:

#### **SENATE SUBSTITUTE FOR SENATE BILL NO. 507**

An Act to repeal sections 21.110, 28.060, 28.190, 29.280, 30.060, 30.070, 32.010, 37.010, 105.050, 192.007, 217.035, 261.010, 286.005, 287.610, 374.020, 374.080, 620.010, 640.010, 650.005, and 660.010, RSMo, and to enact in lieu thereof twenty-two new sections relating to vacancies in certain public offices, with a referendum clause and a contingent effective date.

Senator Dixon moved that **SS** for **SB 507** be adopted.

Senator Sifton offered **SA 1**, which was read:

#### **SENATE AMENDMENT NO. 1**

Amend Senate Substitute for Senate Bill No. 507, Page 45, Section B, Lines 27-35 of said page, by striking all of said section from the bill; and further amend line 36, by striking "Section C." and inserting in lieu thereof the following: "Section B"; and

Further amend said bill, Page 46, Section D, Lines 1 to 11 of said page, by striking all of said section from the bill.

Senator Sifton moved that the above amendment be adopted.

Senator Kehoe assumed the Chair.

Senator Dixon requested a roll call vote be taken on the adoption of **SA 1** and was joined in his request by Senators Justus, Pearce, Keaveny and Schaaf.

**SA 1** failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	Schaefer	Schmitt
Sifton	Silvey	Walsh—11					

NAYS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard
Romine	Rupp	Sater	Schaaf	Wallingford—21			

Absent—Senators—None

Absent with leave—Senator Wasson—1

Vacancies—1

Senator Schmitt offered **SA 2**:

**SENATE AMENDMENT NO. 2**

Amend Senate Substitute for Senate Bill No. 507, Page 12, Section 37.010, Line 16, by inserting after all of said line the following:

“105.010. All officers elected or appointed by the authority of the laws of this state shall hold their offices until their successors are elected or appointed, commissioned and qualified. **For any person appointed by the governor to a board or commission pursuant to authority granted by section 51, article IV, of the Missouri Constitution, such appointee shall have authority to act during the pendency of the term of the office and for up to sixty days after the expiration of the term of the office. If the governor fails to fill the vacancy created by the expiration of the term of the office, then the board or commission position shall become vacant sixty days after the expiration of the person’s term.**”; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted.

At the request of Senator Dixon, **SB 507**, with **SS** and **SA 2** (pending), was placed on the Informal Calendar.

**REFERRALS**

President Pro Tem Dempsey referred **SR 1168** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

**INTRODUCTIONS OF GUESTS**

Senator Pearce introduced to the Senate, Chris Stewart and Janet Canavese, Sedalia.

Senator Brown introduced to the Senate, Courtney Flores, and students from Green Gables Lodge, Macks Creek.

The President introduced to the Senate, Reagan Payne, Cape Girardeau.

Senator Brown introduced to the Senate, Bruce Fiske and Steve Davis, Rolla.

Senator Libla introduced to the Senate, Dean and Cindy Million and Jim and Deanna Ward, Poplar Bluff.

On behalf of Senator Silvey and himself, Senator Wallingford introduced to the Senate, Kelsey Besand, Cape Girardeau; and Austin Stephenson, Kansas City.

Senator Brown introduced to the Senate, Sgt. Michael Jones, Cpl. Kyle Wilmont, Trooper Jacob Sellars and Sgt. Cody Fulkerson, Missouri State Highway Patrol.

Senator Kehoe introduced to the Senate, Maria Backes, Honey Creek.

Senator Kehoe introduced to the Senate, Missouri Cheerleading Coaches Association Class 2 Division Large State Cheer Champion Blair Oaks Cheerleading Squad; Coaches Christe Kemna, Lisa Lackman and Gwen Braun; Co-Captains Ashley Holland and Kelly Wilbers; and cheerleaders Rebecca Craig, Abbey Eskens, Christina Kempker, Taylor Morgan, Emily Prenger, Caitlin Schaefer, Holly Wolken, Tressa Moeller, Abby Shanley, Claudia Alley, Lanie Berhorst, Taylor Gehlert, Rachel Isenberg, Abbie Kemna, Lauren Roark and Sadie Turner.

On motion of Senator Richard, the Senate adjourned under the rules.

## SENATE CALENDAR

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TWELFTH DAY–WEDNESDAY, JANUARY 29, 2014

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## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 669-Schaaf	SB 683-Curls and Keaveny
SB 670-Sater	SB 684-Holsman
SB 671-Sater	SB 685-LeVota
SB 672-Parson	SB 686-LeVota
SB 673-Kehoe and Wallingford	SB 687-LeVota
SB 674-Kehoe	SB 688-LeVota
SB 675-Kehoe	SB 689-Schmitt, et al
SB 676-Curls	SB 690-Wasson
SB 677-Curls	SB 691-Wasson
SB 678-Curls	SB 692-Wasson
SB 679-Curls	SB 693-Parson
SB 680-Curls	SB 694-Cunningham
SB 681-Curls	SB 695-Keaveny
SB 682-Curls	SB 696-Schaefer

SB 697-Schaefer	SB 737-Walsh
SB 698-Justus	SB 738-Walsh
SB 699-Pearce	SB 739-Romine
SB 700-Sater	SB 740-Lamping, et al
SB 701-Lager	SB 741-Rupp
SB 702-Lager	SB 742-Schmitt
SB 703-Lager	SB 743-Schmitt
SB 704-Lager	SB 744-Nieves
SB 705-Lager	SB 745-Munzlinger
SB 706-Cunningham	SB 746-Munzlinger
SB 707-Wasson	SB 747-Munzlinger
SB 708-Sifton	SB 748-Walsh
SB 709-Wallingford	SB 749-Walsh
SB 710-Walsh	SB 750-Walsh
SB 711-Walsh	SB 751-LeVota
SB 712-Walsh	SB 752-LeVota
SB 713-Emery	SB 753-Keaveny
SRB 714-Lager	SB 754-Sater and Justus
SRB 715-Lager	SB 755-Wallingford
SB 716-Brown	SB 756-Schaefer
SB 717-Brown	SB 757-Justus, et al
SB 718-Richard	SB 758-Justus
SB 719-Kehoe	SB 759-Sifton
SB 720-Justus	SB 760-Chappelle-Nadal
SB 721-Justus	SB 761-Wallingford
SB 722-Justus	SB 762-Schaefer
SB 723-Parson	SB 763-Schaefer
SB 724-Parson	SB 764-Lager
SB 725-Nieves	SB 765-Chappelle-Nadal
SB 726-Chappelle-Nadal	SB 766-Keaveny
SB 727-Chappelle-Nadal	SB 767-Schmitt, et al
SB 728-Sifton	SB 768-Pearce
SB 729-Romine	SB 769-Pearce
SB 730-Nasheed	SB 770-Wallingford
SB 731-Nasheed	SB 771-Sater
SB 732-Keaveny	SB 772-Lamping
SB 733-Schaefer	SB 773-Rupp
SB 734-Cunningham	SB 774-Dempsey
SB 735-Brown	SB 775-Walsh
SB 736-Sater	SB 776-Nieves



SB 777-Nieves	SB 792-Parson
SB 778-Nieves	SB 793-Dixon
SB 779-Munzlinger	SJR 36-Schaefer and Richard
SB 780-LeVota	SJR 37-Dixon
SB 781-LeVota	SJR 38-Nieves
SB 782-Romine	SJR 39-Dixon
SB 783-Romine	SJR 40-Curls
SB 784-Romine	SJR 41-Curls
SB 785-Kehoe	SJR 42-Schmitt
SB 786-Schmitt	SJR 43-Lamping
SB 787-Justus	SJR 44-Schaefer
SB 788-Brown	SJR 45-Silvey
SB 789-Dixon	SJR 46-Emery
SB 790-Dixon	SJR 47-Lager
SB 791-Parson and Schaaf	SJR 48-Kehoe

## SENATE BILLS FOR PERFECTION

SB 492-Pearce, with SCS	SBs 509 & 496-Kraus, with SCS
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## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

SB 507-Dixon, with SS & SA 2 (pending)	SJR 30-Dixon
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## RESOLUTIONS

To be Referred

SCR 27-Keaveny

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# Journal of the Senate

## SECOND REGULAR SESSION

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**TWELFTH DAY—WEDNESDAY, JANUARY 29, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“To you O Lord, I lift up my soul.” (Psalm 25:1)

Gracious Father, we would ask that in all our doings You might direct them and help us in all our works, which began, continue and will end in You, Our God. Grant us a full understanding of Your mercies so our lives might be respectful, holy and obedient to You throughout our days. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Pearce offered Senate Resolution No. 1177, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. John Angel, Warrensburg, which was adopted.

Senator Dempsey offered Senate Resolution No. 1178, regarding Joshua S. Lewis, which was adopted.

Senator Dempsey offered Senate Resolution No. 1179, regarding Zhen Yang, which was adopted.

Senator Dempsey offered Senate Resolution No. 1180, regarding John Taylor, which was adopted.

Senator Dempsey offered Senate Resolution No. 1181, regarding Alice and Joseph Buehrle, which was adopted.

Senator Dempsey offered Senate Resolution No. 1182, regarding Deborah Russ, which was adopted.

Senator Dempsey offered Senate Resolution No. 1183, regarding Sgt. Gary R. Schwendemann, which was adopted.

Senator Dempsey offered Senate Resolution No. 1184, regarding Police Officer Ross Riggins, which was adopted.

Senator Dempsey offered Senate Resolution No. 1185, regarding Sergeant Ron Lloyd, which was adopted.

Senator Dempsey offered Senate Resolution No. 1186, regarding Sergeant Michael Aulbert, which was adopted.

Senator Dempsey offered Senate Resolution No. 1187, regarding Detective Don Stepp, which was adopted.

Senator Dempsey offered Senate Resolution No. 1188, regarding Sergeant Ron Lloyd, which was adopted.

Senator Dempsey offered Senate Resolution No. 1189, regarding Police Officer Dean Meyer, which was adopted.

Senator Dempsey offered Senate Resolution No. 1190, regarding Police Officer Rick Fischer and his K-9 partner, Phoenix, which was adopted.

Senator Dempsey offered Senate Resolution No. 1191, regarding Police Officer Kevin Euton, which was adopted.

Senator Dempsey offered Senate Resolution No. 1192, regarding Police Officer Dan Gibbons, which was adopted.

Senator Dempsey offered Senate Resolution No. 1193, regarding Police Officer Thomas McBride, which was adopted.

Senator Dempsey offered Senate Resolution No. 1194, regarding Police Officer Clint Cole, which was adopted.

Senator Dempsey offered Senate Resolution No. 1195, regarding Police Officer Chris Duke, which was adopted.

Senator Dempsey offered Senate Resolution No. 1196, regarding Police Officer Mark Vollmar, which

was adopted.

Senator Dempsey offered Senate Resolution No. 1197, regarding Bob Kirkwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 1198, regarding the Barthelmass family, which was adopted.

Senator Schmitt offered Senate Resolution No. 1199, regarding Tom and Judy Honigfort, which was adopted.

Senator Schmitt offered Senate Resolution No. 1200, regarding Beverly Collin, which was adopted.

Senator Schmitt offered Senate Resolution No. 1201, regarding Erma Reid, which was adopted.

Senators Kehoe, Pearce and Munzlinger offered the following resolution:

SENATE RESOLUTION NO. 1202

WHEREAS, the Missouri General Assembly has compiled a long tradition of rendering assistance to those programs aimed at developing exemplary qualities of citizenship and leadership within our youth; and

WHEREAS, the Missouri Girls State program of the American Legion Auxiliary has earned considerable recognition for its success in providing young women with a unique and valuable insight into the process of democratic government through a format of direct role-playing experience; and

WHEREAS, during June 2014, the American Legion Auxiliary, Department of Missouri, is conducting the annual session of Missouri Girls State; and

WHEREAS, an important highlight of this event would be conducting a mock legislative session in the Senate Chamber at our State Capitol where participants could gather to gain a more realistic insight into official governmental and electoral proceedings;

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, hereby grant the adult leaders and participants of the Seventy-third Session of the Missouri Girls State permission to use the Senate Chamber for the purpose of conducting a mock legislative session on Wednesday, June 25, 2014, from 9:00 a.m. to 12:30 p.m.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1202** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 1202** was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 1203

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Senate has a long tradition of rendering assistance to those organizations which sponsor projects in the interest of good citizenship; and

WHEREAS, the Missouri Catholic Conference has as its purposes to promote the material and spiritual well being of all the people of the state of Missouri and to participate in the democratic process of government:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-seventh General Assembly, that the Missouri Catholic Conference be hereby granted permission to use the Senate Chamber and the Senate Hearing Rooms from 7:00 a.m. to 5:00 p.m. on Saturday, October 4, 2014, for the purpose of a citizens assembly and workshops.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1203** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 1203** was adopted.

Senator Dempsey, joined by the entire membership, offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 1204

Whereas, the members of the Missouri Senate truly were saddened by the death of Kenneth Maurice “Ken” Holman on January 23, 2014, at the age of eighty-nine; and

Whereas, born on September 17, 1924, Ken Holman was the son of Meddren and Marguerite Holman of Kansas City, Missouri, and a highly esteemed graduate of Lincoln High School who served in the United States Army during World War II and earned a Bronze Star, a Purple Heart, a Good Conduct Medal, the European-African-Middle Eastern Medal, an American Theater Medal, a World War II Victory Medal, the Combat Infantry Badge, and a Marksmanship Badge; and

Whereas, Ken Holman was employed with the Missouri State Senate as a Doorkeeper for twenty-two years, by the Missouri Department of Revenue as the Manager of General Services for ten years, by the Union Pacific Railroad, and as an automobile salesman; and

Whereas, Ken Holman was a member of the Orient Consistory #10 in the Kansas City, Kansas, 32nd Degree Masons and also was active at Quinn Chapel AME Church; and

Whereas, Ken Holman is survived by his beloved wife, Anna Holman, whom he married on June 5, 2004, in Newark, New Jersey; children, Jan Valerie Jeffrey, Keith Maurice Holman, Penny LaVerne Holman, Ian Scott, Pia Scott, and Wanda Onquè; and grandchildren, Alexis Monèt Kenney and Shaquil Scott; and

Whereas, it is fitting and proper that the Missouri Senate should pause in its diverse legislative duties in order to acknowledge the passing away of a trusted former employee, the past Head Doorkeeper Ken Holman:

Now, Therefore, Be It Resolved that we, the members of the Missouri Senate, Ninety-seventh General Assembly, join to memorialize the life and work of Ken Holman and to convey this legislative body’s most heartfelt condolences to his family members, colleagues, friends, and neighbors who now miss his considerable strength, warmth, and light in their daily lives; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution in memory of Kenneth Maurice “Ken” Holman of Jefferson City, Missouri.

The Senate observed a moment of silence in memory of Ken Holman.

**CONCURRENT RESOLUTIONS**

Senators Pearce, Keaveny and Justus offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 28

WHEREAS, the state of Missouri maintains and values its relationship with Taiwan; and

WHEREAS, April 10, 2014, will mark the 35<sup>th</sup> anniversary of the enactment of the Taiwan Relations Act, which encourages continued commercial and cultural relations between the people of the United States and the people of Taiwan; and

WHEREAS, Taiwan was the 10<sup>th</sup> largest import partner and the 23<sup>rd</sup> largest export partner of the state of Missouri in 2012; and

WHEREAS, Governor Jay Nixon led a 31-member delegation to visit Taiwan in March, 2013, witnessing the signing of the Memorandum of Intent between Taiwan and the state of Missouri, which will take all steps as may be necessary and feasible to promote trade and economic cooperation with the goal of \$500 million in exports over the next four years between the parties; and

WHEREAS, Taiwan and the United States resumed negotiation under the Trade and Investment Framework Agreement in March, 2013, after a five-year hiatus; and

WHEREAS, a Bilateral Investment Agreement gives investors in both economies greater assurance that the capital they are putting at risk in each other’s market will be adequately protected; and

WHEREAS, the United States has already concluded, or is seeking to negotiate, bilateral investment agreements with nine of its top ten trading partners, and Taiwan is the sole exception; and

WHEREAS, opening negotiations for a BIA between the United States and Taiwan will provide more stability for strong two-way

investment ties; and

WHEREAS, Taiwan hopes to work via regional economic bodies to further develop bilateral and multilateral trade with the United States and other nations in the Asia-Pacific region, seeking to join the United States-led Trans-Pacific Partnership; and

WHEREAS, Taiwan and mainland China signed a landmark trade agreement, the Economic Cooperation Framework Agreement in 2010. This trade agreement has opened up immense opportunities to Taiwan investors, including those who are from the state of Missouri and in mainland China, and continues to expand to provide additional benefits:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby support the resumption of the Trade and Investment Framework Agreement talks between the United States and Taiwan, and expresses support for Taiwan's efforts to secure entry into the Trans-Pacific Partnership, along with the United States and other friendly Asia-Pacific Rim countries; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the United States Secretary of State, each member of the Missouri Congressional delegation, and the Director-General of the Taipei Economic and Cultural Office in Kansas City.

**Senator Wallingford offered the following concurrent resolution:**

**SENATE CONCURRENT RESOLUTION NO. 29**

WHEREAS, in Missouri, children between 17 and 18 years of age are considered adults and no longer fall under the jurisdiction of juvenile courts and children as young as 12 years of age can be certified as adults and tried in adult court rather than in juvenile court; and

WHEREAS, according to the Division of Youth Services (DYS), in Fiscal Year 2013, 919 youth were committed to the DYS and of all the youth receiving DYS educational services in FY 2013, 22% were identified as having an educational disability, 43% had a history of prior mental health services; 54% had a history of prior substance abuse involvement; 12% were committed for the most serious felonies; 38% were committed for less serious offenses and 12% were committed for juvenile offenses; and

WHEREAS, although the DYS has been lauded across the country as a successful model for other states to follow, it is imperative that Missouri address the issue of treating youth in the adult criminal system and consider the benefits to the youth, the youth's family, society and to this state by retaining youth under juvenile justice jurisdiction:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby create the Juvenile Justice Task Force; and

BE IT FURTHER RESOLVED that the mission of the task force shall be to fully consider and make recommendations in a report to the General Assembly on:

- (1) Raising the age of juvenile court jurisdiction to age eighteen;
- (2) Removing juveniles from adult jails pre-trial;
- (3) Revising the age of certification to adult court;
- (4) Current laws relating to the jurisdiction of the juvenile court;
- (5) Current research on best practices for handling offenses committed by youth in the court system;
- (6) The benefits of retaining youth under juvenile justice jurisdiction in this state;
- (7) Methods to reduce the number of youth in adult detention centers and prisons; and
- (8) The long-term fiscal impact of treating youth in the adult criminal system; and

BE IT FURTHER RESOLVED that the task force shall consist of the following members:

- (1) Two members of the Senate, one appointed by the President Pro Tempore of the Senate and one by the Minority Leader of the Senate;
- (2) Two members of the House of Representatives, one appointed by the Speaker of the House of Representatives and one by the Minority Leader of the House of Representatives;
- (3) The State Courts Administrator or his or her designee;
- (4) The Director of the Division of Youth Services or his or her designee;

- (5) The Director of the Children's Division or his or her designee;
- (6) The Chair of the State Juvenile Justice Advisory group;
- (7) The Director of the Office of Public Defender or his or her designee;
- (8) The Director of the Office of Prosecution Services, or his or her designee;
- (9) One representative from the advocacy community who has organized to advocate for juvenile justice policy reform on the state and federal level, appointed by the President Pro Tempore of the Senate;
- (10) One representative from a state coalition in existence for more than 30 years which has been advocating for Missouri's at-risk, abused and neglected children and the people who care for them, appointed by the Speaker of the House of Representatives;
- (11) One representative from the juvenile and family courts appointed by the President Pro Tempore of the Senate;
- (12) One mental health provider specializing in adolescent and mental health, appointed by the Speaker of the House of Representatives;
- (13) An ex-offender who was charged as an adult for an offense committed as a juvenile appointed by the President Pro Tempore of the Senate;
- (14) One at-large public member appointed by the Speaker of the House of Representatives; and

BE IT FURTHER RESOLVED that the staffs of Senate Research, House Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Task Force may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Task Force, its members, and any staff assigned to the Task Force shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Task Force or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the Task Force shall meet within two months from adoption of this resolution and will report its recommendations and findings to the Missouri General Assembly by January 1, 2015 and shall terminate on January 1, 2015; and

BE IT FURTHER RESOLVED that the Juvenile Justice Task Force is authorized to function during the legislative interim between the Second Regular Session of the Ninety-seventh General Assembly and the First Regular Session of the Ninety-eighth General Assembly through January 1, 2015, as authorized by State v. Atterbury, 300 S.W.2d 806 (Mo. 1957); and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Office of the State Courts Administrator and the Director of the Department of Social Services.

**Senators Justus, Curls and Holsman offered the following concurrent resolution:**

#### SENATE CONCURRENT RESOLUTION NO. 30

Relating to the ratification of the Equal Rights Amendment to the United States Constitution.

WHEREAS, three years after women won the right to vote, the Equal Rights Amendment to the United States Constitution, authored by Alice Paul, head of the National Women's Party, was introduced in Congress by Senator Curtis and Representative Anthony, both Republicans; and

WHEREAS, the Equal Rights Amendment to the United States Constitution passed the United States Senate and then the United States House of Representatives, and on March 22, 1972, the proposed Amendment to the United States Constitution was sent to the states for ratification; and

WHEREAS, the Equal Rights Amendment to the United States Constitution states:

"Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification."; and

WHEREAS, Congress placed a deadline of June 30, 1982, on the ratification process and thirty-five states ratified the proposed Amendment before the deadline; and

WHEREAS, Congress may not have the constitutional authority to place a deadline on the ratification process; and

WHEREAS, Article V of the United States Constitution allows the General Assembly of the State of Missouri to ratify this proposed Amendment to the Constitution of the United States; and

WHEREAS, the General Assembly of the State of Missouri finds that the proposed Amendment is meaningful and needed as part of the United States Constitution and that the present political, social and economic conditions are the same as or are even more demanding today than they were when the proposed Amendment was first submitted for adoption:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby ratify the Equal Rights Amendment to the United States Constitution; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Archivist of the United States, Washington, D.C.; the Vice President of the United States; the Speaker of the United States House of Representatives; and each member of the Missouri Congressional delegation with request that it be printed in the Congressional Record.

Read 1st time.

### **INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 794**—By Chappelle-Nadal.

An Act to repeal section 362.333, RSMo, and to enact in lieu thereof one new section relating to irrevocable life insurance trusts.

**SB 795**—By Lager.

An Act to repeal section 161.216, RSMo, relating to early childhood education.

**SB 796**—By Parson.

An Act to repeal section 451.040, RSMo, and to enact in lieu thereof one new section relating to marriage licenses, with an existing penalty provision.

**SB 797**—By Nieves.

An Act to repeal section 304.152, RSMo, and to enact in lieu thereof one new section relating to voluntary roadside checkpoints.

**SB 798**—By Emery.

An Act to repeal sections 160.514, 160.518, 160.526, 160.820, and 161.092, RSMo, and to enact in lieu thereof five new sections relating to elementary and secondary education standards.

**SB 799**—By Emery.

An Act to repeal section 490.715, RSMo, and to enact in lieu thereof one new section relating to the introduction of evidence for determining the cost of medical treatment.

**SB 800**—By Romine.

An Act to authorize the conveyance of property owned by the state in St. Francois County to the City of Farmington.

**SB 801**—By Holsman.

An Act to repeal section 393.1030, RSMo, and to enact in lieu thereof one new section relating to the renewable energy standard.



**SB 802**—By Dixon.

An Act to repeal sections 210.145, 210.152, and 210.183, RSMo, and to enact in lieu thereof three new sections relating to child abuse investigations, with an existing penalty provision.

**SB 803**—By Justus.

An Act to repeal sections 64.170 and 64.205, RSMo, and to enact in lieu thereof one new section relating to county building codes.

### SENATE BILLS FOR PERFECTION

Senator Dixon moved that **SB 507**, with **SS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 2** was again taken up.

Senator Pearce assumed the Chair.

Senator Schmitt moved that **SA 2** be adopted, which motion prevailed.

Senator Schmitt offered **SA 3**:

### SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Bill No. 507, Page 2, Section 26.018, Lines 9-10, by striking the words “within four months of the date of issuance of the writ”; and inserting in lieu thereof the following: “**at the next general election**”.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Sifton offered **SA 4**:

### SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Bill No. 507, Pages 22-26, Section 287.610 of said bill, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted.

Senator Kehoe assumed the Chair.

At the request of Senator Dixon, **SB 507**, with **SS** and **SA 4** (pending), was placed on the Informal Calendar.

### MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1125**, entitled:

An Act to repeal sections 115.124 and 115.395, RSMo, and to enact in lieu thereof two new sections relating to elections, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

## RESOLUTIONS

Senator Richard offered the following resolution:

### SENATE RESOLUTION NO. 1205

WHEREAS, the Administration Committee is required by law to establish the rates of pay each year, and

WHEREAS, such rates of pay are to be the same as those established under the policies of the Personnel Division of the Office of Administration for comparable duties after examination of the rates of pay then in effect, and

WHEREAS, the rates of pay established shall become effective in January.

NOW, THEREFORE, BE IT RESOLVED by the Committee on Administration that the number, classification and rates of pay authorized for employees of the Senate shall include one department director and seven division level directors to be compensated according to Office of Administration guidelines; and the following authorized employees at rates of pay within the ranges hereby established.

<u>NO.</u>	<u>CLASSIFICATION</u>	<u>MONTHLY SALARY RANGE</u>
5	Staff Attorney	\$3,924 - \$6,368
1	Research Analyst II	\$3,332 - \$4,860
1	Research Analyst IV	\$3,924 - \$6,368
1	Assistant Director General Research	\$3,924 - \$6,368
1	Investigator	\$3,332 - \$4,860
4	Research Staff Secretary	\$2,784 - \$4,053
2	Budget Research Analyst II	\$3,332 - \$4,860
2	Budget Research Analyst III	\$3,951 - \$5,744
1	Assistant Director Budget Research	\$3,924 - \$6,368
1	Budget Staff Secretary	\$2,784 - \$4,053
3	Assistant Secretary of Senate	\$3,332 - \$5,393
1	Enrolling & Engrossing Supervisor	\$3,332 - \$5,393
3	Enrolling & Engrossing Clerk	\$2,473 - \$3,460
1	Billroom Supervisor	\$2,473 - \$3,460
1	Billroom Clerk	\$2,131 - \$2,927
5	Public Information Specialist	\$2,473 - \$3,460
1	Photographer	\$2,784 - \$3,951
1	Administrative Assistant	\$3,332 - \$5,393
1.5	Accounting Specialist	\$2,883 - \$4,053
1	Human Resources Specialist	\$3,332 - \$5,393
9	Administrative/Office Support	\$3,332 - \$5,393
1	Computer Info. Technology Spec. I	\$3,588 - \$5,280
3	Computer Info. Technology Spec. II	\$3,951 - \$5,744
1	Computer Info. Technology Spec III	\$4,764 - \$6,686

<u>NO.</u>	<u>CLASSIFICATION</u>	<u>MONTHLY SALARY RANGE</u>
2	Computer Info. Technologist I	\$2,473 - \$3,460
3	Computer Info. Technologist II	\$3,212 - \$4,572
1	Network/Communications Specialist	\$3,951 - \$5,744
1	Composing Equipment Operator II	\$2,247 - \$3,098
1	Composing Equipment Operator III	\$2,319 - \$3,212
1	Mailroom Supervisor	\$2,473 - \$3,460
1	Mailroom Technician II	\$2,131 - \$2,927
1	Printing Services Technician II	\$2,131 - \$2,927
1	Printing Services Technician III	\$2,319 - \$3,212
2	Printing Services Technician IV	\$2,600 - \$3,588
1	Maintenance Supervisor II	\$2,558 - \$3,546
1	Carpenter II	\$2,600 - \$3,588
1	Maintenance Worker II	\$2,319 - \$3,212
0.5	Sergeant-at-Arms (Elected)	\$2,600 - \$3,588
4.0	Assistant Doorkeeper	\$1,754 - \$2,269
0.5	Reading Clerk	\$1,754 - \$2,269
0.5	Chaplain	\$1,859 - \$2,467
0.5	Security Guard	\$1,754 - \$2,269

BE IT FURTHER RESOLVED that the Senate Administration Committee is authorized to establish a formula setting forth the maximum amount which may be expended by each Senator and each caucus for the employment of Administrative and Clerical Assistants. Each Senator plus the President Pro Tem and The Minority Leader on behalf of their caucus will be notified of the funds available, and shall thereafter certify to the Senate Administrator the names and addresses of Administrative and Clerical Assistants. The compensation paid to the Senators' and caucus administrative and clerical assistants shall be within the limits of the categories set forth hereinabove.

BE IT FURTHER RESOLVED that the Senate Administrator, with the approval of the Senate Administration Committee, shall have the authority to cooperate and coordinate with the Chief Clerk of the House in the selection of employees, who shall be assigned to the garage, Joint Committee Staffs and the rotunda area, and who will be paid from the Joint House and Senate Contingent Fund, within the limits of the categories set out above.

BE IT FURTHER RESOLVED that the Committee on Administration has the authority to reduce, combine or consolidate positions and salaries where necessary to meet changed conditions or circumstances which arise, and may enter into contracts with consultants, provided such consultant's contract fee does not exceed the salary for the comparable position, and such consultant shall count as an employee of the Senate.

BE IT FURTHER RESOLVED that the Senate Administration Committee is authorized to adjust the foregoing pay ranges to reflect implementation of the state pay plan.

Senators Chappelle-Nadal and Curls offered Senate Resolution No. 1206, regarding the Chinese New Year, which was adopted.

## REFERRALS

President Pro Tem Dempsey referred **SCR 27** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

### **INTRODUCTIONS OF GUESTS**

Senator Pearce introduced to the Senate, Ethan Harper, Fayette.

Senator Kraus introduced to the Senate, Daniel Duffeck, Columbia.

Senator Silvey introduced to the Senate, representatives of Youth With Vision from Clay, Platte and Ray counties.

Senator Parson introduced to the Senate, Everett Kelly, Buffalo; Clayton Jones, Nixa; and Jimmy Young, John Dismer and Paul Schmitz, Springfield; members of the Military Order of the Purple Heart.

Senator Schmitt introduced to the Senate, John and Gloria King, St. Louis.

Senator Sater introduced to the Senate, Jim McCann, Miller.

Senator Nieves introduced to the Senate, Chelsea and Mallory Moore, Troy; Nita and Cecilia Jones, Fulton; and Elise Kostial, Ellisville.

Senator Brown introduced to the Senate, his daughter, Danette Sherrill, and Linda So, Rolla.

Senator Kehoe introduced to the Senate, Eugene High School FFA advisors Ed Hager and Hannah Henley, and students Koby Limbach, Jayda Crouse, Trent Kempker, Madison Kliethermes, Garret Crouse, Alee Koetting, Cameron Massman, Samantha Suess, Abby Baldwin, Sierra Evers, Hannah Mobley, Alison Buechter, Raegan Wood, Leslie Wrinkles, Jade Ketterman, Aubrey Kauffman, Cassidy Schilp, Carson Doerhoff, Chelsea Hammond, Andy Baldwin, Daniel Beck and Jacob Hager.

Senator Rupp introduced to the Senate, Jason Cadell and Tony Shepherd, O'Fallon; Dale and Lisa Covington, and Devin Risenhoover, Wentzville; and Devin was made an honorary page.

Senator Curls introduced to the Senate, Bob Kendrick, Kansas City.

Senator Brown introduced to the Senate, Willis Corbett and Mary Kizer.

On motion of Senator Richard, the Senate adjourned under the rules.

### **SENATE CALENDAR**

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**THIRTEENTH DAY—THURSDAY, JANUARY 30, 2014**

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### **FORMAL CALENDAR**

#### **SECOND READING OF SENATE BILLS**

SB 669-Schaaf

SB 670-Sater

SB 671-Sater

SB 672-Parson

SB 673-Kehoe and Wallingford

SB 674-Kehoe

SB 675-Kehoe

SB 676-Curls

SB 677-Curls

SB 678-Curls

SB 679-Curls

SB 680-Curls

SB 681-Curls

SB 682-Curls

SB 683-Curls and Keaveny	SB 727-Chappelle-Nadal
SB 684-Holsman	SB 728-Sifton
SB 685-LeVota	SB 729-Romine
SB 686-LeVota	SB 730-Nasheed
SB 687-LeVota	SB 731-Nasheed
SB 688-LeVota	SB 732-Keaveny
SB 689-Schmitt, et al	SB 733-Schaefer
SB 690-Wasson	SB 734-Cunningham
SB 691-Wasson	SB 735-Brown
SB 692-Wasson	SB 736-Sater
SB 693-Parson	SB 737-Walsh
SB 694-Cunningham	SB 738-Walsh
SB 695-Keaveny	SB 739-Romine
SB 696-Schaefer	SB 740-Lamping, et al
SB 697-Schaefer	SB 741-Rupp
SB 698-Justus	SB 742-Schmitt
SB 699-Pearce	SB 743-Schmitt
SB 700-Sater	SB 744-Nieves
SB 701-Lager	SB 745-Munzlinger
SB 702-Lager	SB 746-Munzlinger
SB 703-Lager	SB 747-Munzlinger
SB 704-Lager	SB 748-Walsh
SB 705-Lager	SB 749-Walsh
SB 706-Cunningham	SB 750-Walsh
SB 707-Wasson	SB 751-LeVota
SB 708-Sifton	SB 752-LeVota
SB 709-Wallingford	SB 753-Keaveny
SB 710-Walsh	SB 754-Sater and Justus
SB 711-Walsh	SB 755-Wallingford
SB 712-Walsh	SB 756-Schaefer
SB 713-Emery	SB 757-Justus, et al
SRB 714-Lager	SB 758-Justus
SRB 715-Lager	SB 759-Sifton
SB 716-Brown	SB 760-Chappelle-Nadal
SB 717-Brown	SB 761-Wallingford
SB 718-Richard	SB 762-Schaefer
SB 719-Kehoe	SB 763-Schaefer
SB 720-Justus	SB 764-Lager
SB 721-Justus	SB 765-Chappelle-Nadal
SB 722-Justus	SB 766-Keaveny
SB 723-Parson	SB 767-Schmitt, et al
SB 724-Parson	SB 768-Pearce
SB 725-Nieves	SB 769-Pearce
SB 726-Chappelle-Nadal	SB 770-Wallingford

SB 771-Sater	SB 794-Chappelle-Nadal
SB 772-Lamping	SB 795-Lager
SB 773-Rupp	SB 796-Parson
SB 774-Dempsey	SB 797-Nieves
SB 775-Walsh	SB 798-Emery
SB 776-Nieves	SB 799-Emery
SB 777-Nieves	SB 800-Romine
SB 778-Nieves	SB 801-Holsman
SB 779-Munzlinger	SB 802-Dixon
SB 780-LeVota	SB 803-Justus
SB 781-LeVota	SJR 36-Schaefer and Richard
SB 782-Romine	SJR 37-Dixon
SB 783-Romine	SJR 38-Nieves
SB 784-Romine	SJR 39-Dixon
SB 785-Kehoe	SJR 40-Curls
SB 786-Schmitt	SJR 41-Curls
SB 787-Justus	SJR 42-Schmitt
SB 788-Brown	SJR 43-Lamping
SB 789-Dixon	SJR 44-Schaefer
SB 790-Dixon	SJR 45-Silvey
SB 791-Parson and Schaaf	SJR 46-Emery
SB 792-Parson	SJR 47-Lager
SB 793-Dixon	SJR 48-Kehoe

#### HOUSE BILLS ON SECOND READING

HB 1125-Dugger, et al

#### SENATE BILLS FOR PERFECTION

SB 492-Pearce, with SCS

SBs 509 & 496-Kraus, with SCS

#### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

SB 507-Dixon, with SS & SA 4 (pending)

SJR 30-Dixon

#### RESOLUTIONS

SR 1205-Richard

## To be Referred

SCR 28-Pearce, et al  
SCR 29-Wallingford

SCR 30-Justus, et al

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# Journal of the Senate

## SECOND REGULAR SESSION

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### THIRTEENTH DAY—THURSDAY, JANUARY 30, 2014

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“But by the grace of God I am what I am, and his grace towards me has not been in vain.” (I Corinthians 15:10)

O God our Father, we come to You, not because we are strong but because we are weak; not by any merit of our own but of our need of Your mercy and grace. Grant us this weekend to always keep Your commandments; to accept Your guidance and to obey Your word and to walk the path You have chosen with those we love. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine	Rupp	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

Absent—Senators—None

Absent with leave—Senators

Parson                      Sater—2

Vacancies—1

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Lager offered Senate Resolution No. 1207, regarding Keaton L. Ragan, which was adopted.



Senator Justus offered Senate Resolution No. 1208, regarding Lincoln County Medical Center, which was adopted.

Senator Cunningham offered Senate Resolution No. 1209, regarding Teresa J. Cardwell, Seymour, which was adopted.

Senator Cunningham offered Senate Resolution No. 1210, regarding Thomas E. Roam, which was adopted.

On behalf of Senator Sater, Senator Richard offered Senate Resolution No. 1211, regarding Alethea Goodman, Mount Vernon, which was adopted.

On behalf of Senator Sater, Senator Richard offered Senate Resolution No. 1212, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Alfred Holt, Kimberling City, which was adopted.

On behalf of Senator Sater, Senator Richard offered Senate Resolution No. 1213, regarding Forsyth Hardware, which was adopted.

On behalf of Senator Sater, Senator Richard offered Senate Resolution No. 1214, regarding Dan Guy, Forsyth, which was adopted.

### **INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 804**—By Schaaf.

An Act to repeal sections 536.010 and 546.720, RSMo, and to enact in lieu thereof two new sections relating to the death penalty.

**SB 805**—By Justus.

An Act to repeal section 431.056, RSMo, and to enact in lieu thereof one new section relating to foster children contracting for automobile insurance.

**SB 806**—By LeVota.

An Act to repeal sections 143.106, 143.111, 143.151, and 143.171, RSMo, and to enact in lieu thereof three new sections relating to income taxes.

**SB 807**—By LeVota and Curls.

An Act to repeal section 610.140, RSMo, and to enact in lieu thereof one new section relating to the expungement of certain criminal records.

**SB 808**—By Wasson.

An Act to repeal section 337.643, RSMo, and to enact in lieu thereof one new section relating to master social work practice.

**SB 809**—By Wasson.

An Act to repeal sections 327.011, 327.031, 327.041, 327.051, 327.076, 327.081, 327.091, 327.101, 327.106, 327.131, 327.141, 327.151, 327.161, 327.171, 327.172, 327.181, 327.191, 327.221, 327.231, 327.241, 327.251, 327.261, 327.271, 327.272, 327.312, 327.313, 327.314, 327.321, 327.331, 327.341,

327.351, 327.381, 327.391, 327.392, 327.401, 327.411, 327.421, 327.442, 327.451, 327.461, 327.600, 327.603, 327.607, 327.612, 327.615, 327.617, 327.619, 327.621, 327.622, 327.623, 327.629, 327.630, 327.631, 327.635, RSMo, and to enact in lieu thereof fifty-one new sections relating to licensure by the board for architects, professional engineers, professional land surveyors and professional landscape architects, with an existing penalty provision.

**SB 810**—By Holsman.

An Act to repeal section 302.080, RSMo, and to enact in lieu thereof one new section relating to exempting certain railroad crew members from the state driver's licensing law.

**SB 811**—By Schaaf.

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to the use of investigational drugs, with a penalty provision.

Senator Munzlinger requested unanimous consent of the Senate to withdraw **SB 747**, which request was granted.

## **RESOLUTIONS**

Senator Richard moved that **SR 1205** be taken up for adoption, which motion prevailed.

On motion of Senator Richard, **SR 1205** was adopted.

## **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Sara Nell Lampe, Democrat, as a member of the Missouri Commission on Human Rights;

Also,

Daniel Hall, Democrat, as a member of the Public Service Commission;

Also,

Morris Heitman, Republican, as a member of the Missouri Agricultural and Small Business Development Authority;

Also,

Carolyn Gail Vasterling, as Director of the Department of Health and Senior Services;

Also,

Michael Larsen, Democrat, as a member of the Land Reclamation Commission;

Also,

Kenneth Markwell and John Szturo, as members of the Board of Geologist Registration;

Also,

Linda Hosman, Michelle Martin and Karen J. Anderson, as members of the Missouri State Foster Care and Adoption Board;

Also,

Gene A. Forrester, as a member of the Missouri Electronic Prior Authorization Committee;

Also,

Sandra Wedewer, as a member of the Missouri State Board of Accountancy;

Also,

Paul Williams, as a member of the Crime Laboratory Review Commission;

Also,

Ellen M. Burkemper and Terri R. Marty, as members of the State Committee for Social Workers;

Also,

John P. King, Republican, as a member and John W. Maupin, Republican, as a member and Secretary of the Saint Louis County Board of Election Commissioners;

Also,

Tracy Flanigan and Virginia L. Fry, Republicans, as members of the Missouri Southern State University Board of Governors;

Also,

John M. Miles, Democrat, as a member of the Jackson County Sports Complex Authority;

Also,

Joseph G. McCulloch, Democrat, as a member of the St. Charles County Convention & Sports Facilities Authority; and

Harry Ralph Gaw, Democrat, as a member of the State Soil and Water Districts Commission.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the

Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 649**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 650**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 651**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 652**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 653**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Nieves, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **SB 613**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 506**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 591**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which

was referred **SB 630**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 639**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

### MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 29, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

David Gatto, 2758 Joyceridge Drive, Chesterfield, Saint Louis County, Missouri 63017, as a member of the Advisory Commission for Physician Assistants, for a term ending March 27, 2015, and until his successor is duly appointed and qualified; vice, Anitra L. Nevels, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 29, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Kenneth Grissom, 1267 Fenton Meadow Court, Fenton, Saint Louis County, Missouri 63026, as a member of the Board of Boiler and Pressure Vessel Rules, for a term ending September 28, 2017, and until his successor is duly appointed and qualified; vice, Virgil L. Belfi, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 29, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Karen Pohlman Hess, Republican, 16025 South JD Sapp Road, Hartsburg, Boone County, Missouri 65039, as a member of the State Board of Podiatric Medicine, for a term ending July 1, 2014, and until her successor is duly appointed and qualified; vice, Lois Riney, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 29, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Martha John, 2011 North Country Club Drive, Columbia, Boone County, Missouri 65201, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects, for a term ending September 30, 2016, and until her successor is duly appointed and qualified; vice, Kathy W. Achelpohl, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 29, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Stacey L. Karns, 35359 West State Highway ZZ, New Hampton, Harrison County, Missouri 64471, as a member of the Advisory Commission for Physician Assistants, for a term ending March 27, 2016, and until her successor is duly appointed and qualified; vice, Stacey L. Karns, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 29, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Terrence G. Klamet, Democrat, 1849 Shiloh Valley Drive, Wildwood, Saint Louis County, Missouri 63005, as a member of the State

Board of Podiatric Medicine, for a term ending July 1, 2017, and until his successor is duly appointed and qualified; vice, Terrence G. Klamet, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 29, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Laura Noren, 2412 Meadowlark Lane, Columbia, Boone County, Missouri 65201, as a member of the Missouri State Board of Nursing, for a term ending June 1, 2016, and until her successor is duly appointed and qualified; vice, Aubrey F. Moncrief, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 29, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Michael Popp, 5350 Northeast 96<sup>th</sup> Street, Kansas City, Clay County, Missouri 64156, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects, for a term ending September 30, 2015, and until his successor is duly appointed and qualified; vice, Kenneth M. Frashier, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 29, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Melody Ann Smith, Republican, 4801 Wilshire Drive North, Saint Joseph, Buchanan County, Missouri 64506, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2018, and until her successor is duly appointed and qualified; vice, Daniel E. Champion, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 29, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Mariea Snell, 808 East Pacific, Saint Louis, Saint Louis County, Missouri 63119, as a member of the Missouri State Board of Nursing, for a term ending June 1, 2017, and until her successor is duly appointed and qualified; vice, Mariea Snell, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 29, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Alyson C. Speed, 2805 West Rollins Road Apartment 5, Columbia, Boone County, Missouri 65203, as a member of the Missouri State Board of Nursing, for a term ending June 1, 2016, and until her successor is duly appointed and qualified; vice, Irene Coco-Bell, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Dempsey referred the above appointments to the Committee on Gubernatorial Appointments.

### SENATE BILLS FOR PERFECTION

Senator Dixon moved that **SB 507**, with **SS** and **SA 4** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 4** was again taken up.

At the request of Senator Sifton, the above amendment was withdrawn.

Senator Justus offered **SA 5**:

### SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Bill No. 507, Page 7, Section 32.010, Line 4, by inserting at the end of said line the following: **“During any period of time in which the governor has appointed a director and submitted such person to the senate for its advice and consent, the thirty day period for the acting director under this subsection shall toll.”**; and

Further amend said bill, page 9, section 37.010, line 11, by inserting at the end of said line the following: **“During any period of time in which the governor has appointed a director and submitted such person**



**to the senate for its advice and consent, the thirty day period for the acting director under this subsection shall toll.”; and**

Further amend said bill, page 14, section 192.007, line 14, by inserting at the end of said line the following: **“During any period of time in which the governor has appointed a director and submitted such person to the senate for its advice and consent, the thirty day period for the acting director under this subsection shall toll.”; and**

Further amend said bill, page 16, section 217.035, line 25, by inserting at the end of said line the following: **“During any period of time in which the governor has appointed a director and submitted such person to the senate for its advice and consent, the thirty day period for the acting director under this subsection shall toll.”; and**

Further amend said bill, page 18, section 261.010, line 15, by inserting at the end of said line the following: **“During any period of time in which the governor has appointed a director and submitted such person to the senate for its advice and consent, the thirty day period for the acting director under this subsection shall toll.”; and**

Further amend said bill, page 20, section 286.005, line 25, by inserting at the end of said line the following: **“During any period of time in which the governor has appointed a director and submitted such person to the senate for its advice and consent, the thirty day period for the acting director under this subsection shall toll.”; and**

Further amend said bill, page 27, section 374.020, line 20, by inserting at the end of said line the following: **“During any period of time in which the governor has appointed a director and submitted such person to the senate for its advice and consent, the thirty day period for the acting director under this subsection shall toll.”; and**

Further amend said bill, page 29, section 620.010, line 14, by inserting at the end of said line the following: **“During any period of time in which the governor has appointed a director and submitted such person to the senate for its advice and consent, the thirty day period for the acting director under this subsection shall toll.”; and**

Further amend said bill, page 33, section 640.010, line 23, by inserting at the end of said line the following: **“During any period of time in which the governor has appointed a director and submitted such person to the senate for its advice and consent, the thirty day period for the acting director under this subsection shall toll.”; and**

Further amend said bill, page 37, section 650.005, line 19, by inserting at the end of said line the following: **“During any period of time in which the governor has appointed a director and submitted such person to the senate for its advice and consent, the thirty day period for the acting director under this subsection shall toll.”; and**

Further amend said bill, page 42, section 660.010, line 23, by inserting at the end of said line the following: **“During any period of time in which the governor has appointed a director and submitted such person to the senate for its advice and consent, the thirty day period for the acting director under this subsection shall toll.”.**

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Dixon moved that **SS** for **SB 507**, as amended, be adopted, which motion prevailed.

On motion of Senator Dixon, **SS** for **SB 507**, as amended, was declared perfected and ordered printed.

Senator Schmitt assumed the Chair.

### **SECOND READING OF SENATE BILLS**

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

**SB 669**—Veterans' Affairs and Health.

**SB 670**—Transportation and Infrastructure.

**SB 671**—Agriculture, Food Production and Outdoor Resources.

**SB 672**—Jobs, Economic Development and Local Government.

**SB 673**—Governmental Accountability and Fiscal Oversight.

**SB 674**—Governmental Accountability and Fiscal Oversight.

**SB 675**—Seniors, Families and Pensions.

**SB 676**—Judiciary and Civil and Criminal Jurisprudence.

**SB 677**—Financial and Governmental Organizations and Elections.

**SB 678**—Commerce, Consumer Protection, Energy and the Environment.

**SB 679**—Seniors, Families and Pensions.

**SB 680**—Governmental Accountability and Fiscal Oversight.

**SB 681**—Judiciary and Civil and Criminal Jurisprudence.

**SB 682**—Judiciary and Civil and Criminal Jurisprudence.

**SB 683**—Judiciary and Civil and Criminal Jurisprudence.

**SB 684**—Veterans' Affairs and Health.

**SB 685**—Seniors, Families and Pensions.

**SB 686**—Small Business, Insurance and Industry.

**SB 687**—Ways and Means.

**SB 688**—Small Business, Insurance and Industry.

**SB 689**—Jobs, Economic Development and Local Government.

**SB 690**—Jobs, Economic Development and Local Government.

**SB 691**—Small Business, Insurance and Industry.

**SB 692**—Small Business, Insurance and Industry.

**SB 693**—Ways and Means.

**SB 694**—Financial and Governmental Organizations and Elections.

- SB 695**—Judiciary and Civil and Criminal Jurisprudence.
- SB 696**—Transportation and Infrastructure.
- SB 697**—Appropriations.
- SB 698**—Jobs, Economic Development and Local Government.
- SB 699**—Education.
- SB 700**—Financial and Governmental Organizations and Elections.
- SB 701**—Education.
- SB 702**—Commerce, Consumer Protection, Energy and the Environment.
- SB 703**—Judiciary and Civil and Criminal Jurisprudence.
- SB 704**—Financial and Governmental Organizations and Elections.
- SB 705**—General Laws.
- SB 706**—Judiciary and Civil and Criminal Jurisprudence.
- SB 707**—Transportation and Infrastructure.
- SB 708**—Financial and Governmental Organizations and Elections.
- SB 709**—Veterans’ Affairs and Health.
- SB 710**—Judiciary and Civil and Criminal Jurisprudence.
- SB 711**—Jobs, Economic Development and Local Government.
- SB 712**—Seniors, Families and Pensions.
- SB 713**—Financial and Governmental Organizations and Elections.
- SRB 714**—Governmental Accountability and Fiscal Oversight.
- SRB 715**—Governmental Accountability and Fiscal Oversight.
- SB 716**—Veterans’ Affairs and Health.
- SB 717**—Financial and Governmental Organizations and Elections.
- SB 718**—Small Business, Insurance and Industry.
- SB 719**—Education.
- SB 720**—Seniors, Families and Pensions.
- SB 721**—Financial and Governmental Organizations and Elections.
- SB 722**—Education.
- SB 723**—Governmental Accountability and Fiscal Oversight.
- SB 724**—Judiciary and Civil and Criminal Jurisprudence.
- SJR 36**—Judiciary and Civil and Criminal Jurisprudence.
- SJR 37**—Judiciary and Civil and Criminal Jurisprudence.

**SJR 38**—General Laws.

**SJR 39**—Financial and Governmental Organizations and Elections.

**SJR 40**—Jobs, Economic Development and Local Government.

**SJR 41**—Ways and Means.

**SJR 42**—Rules, Joint Rules, Resolutions and Ethics.

**SJR 43**—Transportation and Infrastructure.

### **HOUSE BILLS ON SECOND READING**

The following Bill was read the 2nd time and referred to the Committee indicated:

**HB 1125**—Financial and Governmental Organizations and Elections.

### **REFERRALS**

President Pro Tem Dempsey referred **SCR 28** and **SCR 29** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

### **SECOND READING OF CONCURRENT RESOLUTIONS**

**SCR 30**—Rules, Joint Rules, Resolutions and Ethics.

### **INTRODUCTIONS OF GUESTS**

Senator Justus introduced to the Senate, the Physician of the Day, Peggy Barjenbruch, M.D., Mexico.

Senator Holsman introduced to the Senate, Janette Rodecap, Jackson County.

Senator Emery introduced to the Senate, John Watson, Durango, Colorado.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, February 3, 2014.

### **SENATE CALENDAR**

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**FOURTEENTH DAY—MONDAY, FEBRUARY 3, 2014**

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### **FORMAL CALENDAR**

### **SECOND READING OF SENATE BILLS**

SB 725-Nieves  
SB 726-Chappelle-Nadal  
SB 727-Chappelle-Nadal  
SB 728-Sifton  
SB 729-Romine

SB 730-Nasheed  
SB 731-Nasheed  
SB 732-Keaveny  
SB 733-Schaefer  
SB 734-Cunningham

SB 735-Brown	SB 777-Nieves
SB 736-Sater	SB 778-Nieves
SB 737-Walsh	SB 779-Munzlinger
SB 738-Walsh	SB 780-LeVota
SB 739-Romine	SB 781-LeVota
SB 740-Lamping, et al	SB 782-Romine
SB 741-Rupp	SB 783-Romine
SB 742-Schmitt	SB 784-Romine
SB 743-Schmitt	SB 785-Kehoe
SB 744-Nieves	SB 786-Schmitt
SB 745-Munzlinger	SB 787-Justus
SB 746-Munzlinger	SB 788-Brown
SB 748-Walsh	SB 789-Dixon
SB 749-Walsh	SB 790-Dixon
SB 750-Walsh	SB 791-Parson and Schaaf
SB 751-LeVota	SB 792-Parson
SB 752-LeVota	SB 793-Dixon
SB 753-Keaveny	SB 794-Chappelle-Nadal
SB 754-Sater and Justus	SB 795-Lager
SB 755-Wallingford	SB 796-Parson
SB 756-Schaefer	SB 797-Nieves
SB 757-Justus, et al	SB 798-Emery
SB 758-Justus	SB 799-Emery
SB 759-Sifton	SB 800-Romine
SB 760-Chappelle-Nadal	SB 801-Holsman
SB 761-Wallingford	SB 802-Dixon
SB 762-Schaefer	SB 803-Justus
SB 763-Schaefer	SB 804-Schaaf
SB 764-Lager	SB 805-Justus
SB 765-Chappelle-Nadal	SB 806-LeVota
SB 766-Keaveny	SB 807-LeVota and Curls
SB 767-Schmitt, et al	SB 808-Wasson
SB 768-Pearce	SB 809-Wasson
SB 769-Pearce	SB 810-Holsman
SB 770-Wallingford	SB 811-Schaaf
SB 771-Sater	SJR 44-Schaefer
SB 772-Lamping	SJR 45-Silvey
SB 773-Rupp	SJR 46-Emery
SB 774-Dempsey	SJR 47-Lager
SB 775-Walsh	SJR 48-Kehoe
SB 776-Nieves	

SENATE BILLS FOR PERFECTION

SB 492-Pearce, with SCS

SBs 509 & 496-Kraus, with SCS

SB 649-Lager

SB 650-Lager, with SCS

SB 651-Lager, with SCS

SB 652-Lager

SB 653-Lager, with SCS

SB 613-Nieves, et al, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SJR 30-Dixon

CONSENT CALENDAR

Senate Bills

Reported 1/30

SB 506-Munzlinger

SB 591-Sater

SB 630-Wallingford, with SCS

SB 639-Brown, with SCS

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# Journal of the Senate

## SECOND REGULAR SESSION

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### FOURTEENTH DAY—MONDAY, FEBRUARY 3, 2014

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“...what does the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God.” (Micah 6:8)

We thank You O God, for the beauty of this day and our safe travel here. You, O Lord, give us a hunger and thirst for justice and would have us strive for peace. So, help us that in our words, our deeds, and our resolutions, our people may see the life You would want us to live. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Senator Richard moved that the Senate Journal for Thursday, January 30, 2014, be corrected on page 178, lines 16 and 17 by deleting said lines and inserting in lieu thereof the following:

"Tracy Flanigan, Republican, as a member of the Missouri Southern State University Board of Governors;

Also,

Virginia L. Fry, Republican, as a member of the Missouri State University Board of Governors;" , which motion prevailed.

The Journal for Thursday, January 30, 2014 was read and approved, as corrected.

The following Senators were present during the day's proceedings:

#### Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—31	

Absent—Senators—None

Absent with leave—Senators

Rupp                      Wasson—2

Vacancies—1

The Lieutenant Governor was present.

### **RESOLUTIONS**

Senator Brown offered Senate Resolution No. 1215, regarding Justin L. McCullough, Cuba, which was adopted.

Senator Brown offered Senate Resolution No. 1216, regarding Lance D. DeClue, Steelville, which was adopted.

Senator Brown offered Senate Resolution No. 1217, regarding Dr. Terry Brewer, Rolla, which was adopted.

Senator Holsman offered Senate Resolution No. 1218, regarding Grant Wilson Dunham, which was adopted.

Senator Kehoe offered Senate Resolution No. 1219, regarding Class 2 State Champion Fatima High School Girls Cross Country Team, which was adopted.

Senator Kehoe offered Senate Resolution No. 1220, regarding Class 3 State Champion Fatima High School Boys Baseball Team, which was adopted.

Senator Kehoe offered Senate Resolution No. 1221, regarding Class 2 State Champion Fatima High School Boys Cross Country Team, which was adopted.

Senator Richard offered Senate Resolution No. 1222, regarding Neal Putney, Joplin, which was adopted.

Senator Sifton offered Senate Resolution No. 1223, regarding Meals on Wheels Association of America, which was adopted.

Senator Sifton offered Senate Resolution No. 1224, regarding Ann Mantler, Fenton, which was adopted.

Senator Sifton offered Senate Resolution No. 1225, regarding Michael Kempf, Lemay, which was adopted.

Senator Sifton offered Senate Resolution No. 1226, regarding Debby Schiavo, Sunset Hills, which was adopted.

Senator Sifton offered Senate Resolution No. 1227, regarding Grabber School of Hair Design, Crestwood, which was adopted.

Senator Sifton offered Senate Resolution No. 1228, regarding Simmons First National Bank, which was adopted.

Senator Sifton offered Senate Resolution No. 1229, regarding Dana Jones, Crestwood, which was adopted.

Senator Sifton offered Senate Resolution No. 1230, regarding Christina Bresnan, Crestwood, which was adopted.



Senator Kraus offered Senate Resolution No. 1231, regarding Skyler Smith, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 1232, regarding Head Coach Mike Hilbert, Lee's Summit North High School, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1233, regarding Tanner Adkins, Elmo, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1234, regarding Taylor Washburn, Eagleville, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1235, regarding Miriam Martin, Bucklin, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1236, regarding Tessa Chambers, Fayette, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1237, regarding Mason Browning, Monroe City, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1238, regarding Abrea Mizer, Marshall, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1239, regarding Alex Haun, Holden, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1240, regarding Dan Haynes, Jefferson City, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1241, regarding Connor Scott, Miller, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1242, regarding Mitchell Blehm, Walnut Grove, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1243, regarding Jonathan Bellis, Aurora, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1244, regarding Morgan Coday, Seymour, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1245, regarding Grant Talburt, Sycamore, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1246, regarding Jeremy Mathis, Potosi, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1247, regarding Rylyn Small, East Prairie, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1248, regarding Carlee Buckner, Thayer, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1249, regarding Jaelyn Bergmann, Perry, which was adopted.

Senator Wallingford offered Senate Resolution No. 1250, regarding Trent Sidwell, Sikeston, which was adopted.

Senator Kehoe offered Senate Resolution No. 1251, regarding Keenan Easter, Winston Salem State University, which was adopted.

Senator Kehoe offered Senate Resolution No. 1252, regarding Anthony Hyland, Voorhees College, which was adopted.

Senator Kehoe offered Senate Resolution No. 1253, regarding CraDale O'Brien Waller, Virginia Union University, which was adopted.

Senator Kehoe offered Senate Resolution No. 1254, regarding Jeremy Whichard, University of Maryland Eastern Shore, which was adopted.

Senator Kehoe offered Senate Resolution No. 1255, regarding Dominique Marquis Foster, Tuskegee University, which was adopted.

Senator Kehoe offered Senate Resolution No. 1256, regarding Mario Clermont, Talladega College, which was adopted.

Senator Kehoe offered Senate Resolution No. 1257, regarding Dustin Fowler, Lincoln University of Pennsylvania, which was adopted.

Senator Kehoe offered Senate Resolution No. 1258, regarding Torrell Esias Mills, Howard University, which was adopted.

Senator Kehoe offered Senate Resolution No. 1259, regarding Julian Williams, Fisk University, which was adopted.

Senator Kehoe offered Senate Resolution No. 1260, regarding Charles Robinson-Snead, Delaware State University, which was adopted.

Senator Kehoe offered Senate Resolution No. 1261, regarding Jordan Green-Ellis, Coppin State University, which was adopted.

Senator Kehoe offered Senate Resolution No. 1262, regarding Aamar Blair, Central State University, which was adopted.

Senator Kehoe offered Senate Resolution No. 1263, regarding Darius Xavier Gwynn, Bowie State University, which was adopted.

Senator Kehoe offered Senate Resolution No. 1264, regarding Brandon LaShawn Johnson, Bethune-Cookman University, which was adopted.

Senator Kehoe offered Senate Resolution No. 1265, regarding John Caro Kerr, which was adopted.

Senator Walsh offered Senate Resolution No. 1266, regarding the One Hundredth Birthday of Walter Frank Pollard, Florissant, which was adopted.

Senator Richard offered Senate Resolution No. 1267, regarding Roy Wakefield, Joplin, which was adopted.

Senator Kraus offered Senate Resolution No. 1268, regarding Scott Christian Lutz, Lee's Summit, which was adopted.

## **INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 812**—By Parson.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to a department of economic development office in Israel.

**SB 813**—By LeVota.

An Act to repeal section 105.955 as enacted by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.955 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, section 105.959 as enacted by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.959 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, section 105.961 as enacted by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.961 as enacted by conference committee substitute no. 2 for house substitute for house committee substitute for senate committee substitute for senate bill no. 16, ninety-first general assembly, first regular session, and to enact in lieu thereof four new sections relating to ethics.

**SB 814**—By Brown.

An Act to repeal section 135.305, RSMo, and to enact in lieu thereof one new section relating to the tax credit for wood energy producers.

**SB 815**—By Pearce.

An Act to amend chapters 160 and 161, RSMo, by adding thereto two new sections relating to the duties of the state board of education.

**SB 816**—By Sater.

An Act to repeal section 191.1110, RSMo, and to enact in lieu thereof one new section relating to volunteer health services.

**SB 817**—By Sifton.

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to the Missouri immunization registry.

**SB 818**—By Kehoe.

An Act to repeal section 305.230, RSMo, and to enact in lieu thereof one new section relating to the state aviation trust fund.

**SB 819**—By Wallingford.

An Act to amend chapters 1 and 160, RSMo, by adding thereto nineteen new sections relating to protecting personal privacy from government intrusion, with penalty provisions and an emergency clause.

**SB 820**—By Schaefer.

An Act to repeal section 196.1003, RSMo, and to enact in lieu thereof one new section relating to the tobacco master settlement agreement, with an emergency clause.

**SB 821**—By Schaefer.

An Act to repeal section 302.137, RSMo, and to enact in lieu thereof one new section relating to the motorcycle safety trust fund.

### **SENATE BILLS FOR PERFECTION**

Senator Pearce moved that **SB 492**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 492**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 492**

An Act to amend chapter 163, RSMo, by adding thereto one new section relating to state funding for public institutions of higher education.

Was taken up.

Senator Pearce moved that **SCS** for **SB 492** be adopted.

Senator Kehoe assumed the Chair.

At the request of Senator Pearce, **SB 492**, with **SCS** (pending), was placed on the Informal Calendar.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SB 507**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

### **COMMUNICATIONS**

President Pro Tem Dempsey submitted the following:

February 3, 2014

The Honorable Tom Dempsey – President Pro Tem  
State Capitol, Room 326  
Jefferson City, Missouri 65101

Dear Senator Dempsey:

Due to several other obligations, please consider this correspondence to be my resignation from the Missouri Court Automation Committee as well as the Joint Committee on Court Automation – both created by section 476.055 RSMo. Pursuant to that section, the power to appoint my replacement lies with you as President Pro-Tem. I recommend Senator Scott Sifton to serve as my replacement on both of these committees.

Sincerely,  
/s/ Jolie Justus  
Jolie Justus

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

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FIFTEENTH DAY—TUESDAY, FEBRUARY 4, 2014

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 725-Nieves	SB 759-Sifton
SB 726-Chappelle-Nadal	SB 760-Chappelle-Nadal
SB 727-Chappelle-Nadal	SB 761-Wallingford
SB 728-Sifton	SB 762-Schaefer
SB 729-Romine	SB 763-Schaefer
SB 730-Nasheed	SB 764-Lager
SB 731-Nasheed	SB 765-Chappelle-Nadal
SB 732-Keaveny	SB 766-Keaveny
SB 733-Schaefer	SB 767-Schmitt, et al
SB 734-Cunningham	SB 768-Pearce
SB 735-Brown	SB 769-Pearce
SB 736-Sater	SB 770-Wallingford
SB 737-Walsh	SB 771-Sater
SB 738-Walsh	SB 772-Lamping
SB 739-Romine	SB 773-Rupp
SB 740-Lamping, et al	SB 774-Dempsey
SB 741-Rupp	SB 775-Walsh
SB 742-Schmitt	SB 776-Nieves
SB 743-Schmitt	SB 777-Nieves
SB 744-Nieves	SB 778-Nieves
SB 745-Munzlinger	SB 779-Munzlinger
SB 746-Munzlinger	SB 780-LeVota
SB 748-Walsh	SB 781-LeVota
SB 749-Walsh	SB 782-Romine
SB 750-Walsh	SB 783-Romine
SB 751-LeVota	SB 784-Romine
SB 752-LeVota	SB 785-Kehoe
SB 753-Keaveny	SB 786-Schmitt
SB 754-Sater and Justus	SB 787-Justus
SB 755-Wallingford	SB 788-Brown
SB 756-Schaefer	SB 789-Dixon
SB 757-Justus, et al	SB 790-Dixon
SB 758-Justus	SB 791-Parson and Schaaf

SB 792-Parson	SB 810-Holsman
SB 793-Dixon	SB 811-Schaaf
SB 794-Chappelle-Nadal	SB 812-Parson
SB 795-Lager	SB 813-LeVota
SB 796-Parson	SB 814-Brown
SB 797-Nieves	SB 815-Pearce
SB 798-Emery	SB 816-Sater
SB 799-Emery	SB 817-Sifton
SB 800-Romine	SB 818-Kehoe
SB 801-Holsman	SB 819-Wallingford
SB 802-Dixon	SB 820-Schaefer
SB 803-Justus	SB 821-Schaefer
SB 804-Schaaf	SJR 44-Schaefer
SB 805-Justus	SJR 45-Silvey
SB 806-LeVota	SJR 46-Emery
SB 807-LeVota and Curls	SJR 47-Lager
SB 808-Wasson	SJR 48-Kehoe
SB 809-Wasson	

### THIRD READING OF SENATE BILLS

SS for SB 507-Dixon

### SENATE BILLS FOR PERFECTION

SBs 509 & 496-Kraus, with SCS	SB 652-Lager
SB 649-Lager	SB 653-Lager, with SCS
SB 650-Lager, with SCS	SB 613-Nieves, et al, with SCS
SB 651-Lager, with SCS	

### INFORMAL CALENDAR

### SENATE BILLS FOR PERFECTION

SB 492-Pearce, with SCS (pending)	SJR 30-Dixon
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### CONSENT CALENDAR

Senate Bills

Reported 1/30

SB 506-Munzlinger	SB 591-Sater
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SB 630-Wallingford, with SCS

SB 639-Brown, with SCS

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# Journal of the Senate

## SECOND REGULAR SESSION

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**FIFTEENTH DAY—TUESDAY, FEBRUARY 4, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Senator Wallingford offered the following prayer:

“Our lives begin to end the day we become silent about things that matter.” (Dr. Martin Luther King)

Father in Heaven, please grant us wisdom and courage to speak about the things that matter to You. Keep us from a spirit of timidity. Go before us to soften hearts and open minds to things that matter to You. We find rest in You alone. Our strength comes from You, God, You are our rock and our fortress, we will never be shaken because You are with us. Let us understand the mystery of Your will for us. Help us turn our ear to wisdom and apply our heart to understanding. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

The Lieutenant Governor was present.



**RESOLUTIONS**

Senator Lager offered Senate Resolution No. 1269, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Richard Mires, Pickering, which was adopted.

Senator Lager offered Senate Resolution No. 1270, regarding Northwest Missouri State University, Maryville, which was adopted.

**CONCURRENT RESOLUTIONS**

Senator Parson offered the following concurrent resolution:

**SENATE CONCURRENT RESOLUTION NO. 31**

WHEREAS, insurance protects the United States economy from the adverse effects of the risks inherent in economic growth and development while also providing the resources necessary to rebuild physical and economic infrastructure, offer indemnification for business disruption, and provide coverage for medical and liability costs from injuries and loss of life in the event of catastrophic losses to persons or property; and

WHEREAS, the terrorist attack of September 11, 2001, produced injured losses larger than any natural or man-made event in history, with claims paid by insurers to their policyholders eventually totaling some \$32.5 billion, making this the second most costly insurance event in United States history; and

WHEREAS, the sheer enormity of the terrorist induced loss, combined with the possibility of future attacks, produced financial shockwaves that shook insurance markets causing insurers and reinsurers to exclude coverage arising from acts of terrorism from virtually all commercial property and liability policies; and

WHEREAS, the lack of terrorism risk insurance contributed to a paralysis in the economy, especially in construction, tourism, business travel, and real estate finance; and

WHEREAS, the United States Congress originally passed the Terrorism Risk Insurance Act of 2002, Pub. L. 107-297 (TRIA), in which the federal government agreed to provide terrorism reinsurance to insurers and reauthorized this arrangement via the Terrorism Risk Insurance Extension Act of 2005, Pub. L. 109-144, and the Terrorism Risk Insurance Program Reauthorization Act of 2007, Pub. L. 110-160 (TRIPRA); and

WHEREAS, under TRIPRA the federal government provides such reinsurance after industry-wide losses attributable to annual certified terrorism events exceed one hundred million dollars; and

WHEREAS, coverage under TRIPRA is provided to an individual insurer after the insurer has incurred losses related to terrorism equal to twenty percent of the insurer's previous year earned premium for property-casualty lines; and

WHEREAS, after an individual insurer has reached such a threshold, the insurer pays fifteen percent of residual losses and the federal government pays the remaining eighty-five percent; and

WHEREAS, the Terrorism Risk Insurance Program has an annual cap of one hundred billion dollars of aggregate insured losses, beyond which the federal program does not provide coverage; and

WHEREAS, TRIPRA requires the federal government to recoup one hundred percent of the benefits provided under the program via policy holder surcharges to the extent the aggregate insured losses are less than twenty-seven billion five hundred million dollars and enables the government to recoup expenditures beyond that mandatory recoupment amount; and

WHEREAS, without question, TRIA and its successors are the principal reason for the continued stability in the insurance and reinsurance market for terrorism insurance to the benefit of our overall economy; and

WHEREAS, the presence of a robust private/public partnership has provided stability and predictability and has allowed insurers to actively participate in the market in a meaningful way; and

WHEREAS, without a program such as TRIPRA, many of our citizens who want and need terrorism coverage to operate their businesses all across the nation would be either unable to get insurance or unable to afford the limited coverage that would be available; and

WHEREAS, without federally provided reinsurance, property and casualty insurers will face less availability of terrorism reinsurance and will therefore be severely restricted in their ability to provide sufficient coverage for acts of terrorism to support our economy; and

WHEREAS, unfortunately, despite the hard work and dedication of this nation's counter terrorism agencies and the bravery of the men and women in uniform who fought and continue to fight battles abroad to keep us safe here at home, the threat from terrorist attacks in the United States is both real and substantial and will remain as such for the foreseeable future:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the United States Congress and the President of the United States to reauthorize the Terrorism Risk Insurance Program; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President Pro tempore of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

### **INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 822**—By Parson.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of the James R. Ledbetter Memorial Bridge.

**SB 823**—By Dixon.

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to retirement benefit forfeiture, with an emergency clause.

**SB 824**—By Dixon.

An Act to repeal sections 1.020, 56.010, 56.060, 56.265, 56.363, 56.430, 56.805, 56.816, and 211.411, RSMo, and to enact in lieu thereof ten new sections relating to prosecuting attorneys.

**SB 825**—By Chappelle-Nadal.

An Act to repeal section 163.011, RSMo, and to enact in lieu thereof one new section relating to state funding for elementary and secondary education.

### **SENATE BILLS FOR PERFECTION**

At the request of Senator Kraus, **SB 509** and **SB 496**, with **SCS**, were placed on the Informal Calendar.

Senator Lager moved that **SB 649** be taken up for perfection, which motion prevailed.

On motion of Senator Lager, **SB 649** was declared perfected and ordered printed.

Senator Pearce assumed the Chair.

Senator Lager moved that **SB 650**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 650**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 650**

An Act to repeal sections 67.5090, 67.5092, 67.5094, 67.5096, 67.5098, 67.5100, 67.5102, and 67.5103, RSMo, and to enact in lieu thereof eight new sections relating to wireless communications infrastructure deployment.

Was taken up.

Senator Lager moved that **SCS** for **SB 650** be adopted.

Senator Lager offered **SS** for **SCS** for **SB 650**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 650

An Act to repeal sections 67.5090, 67.5092, 67.5094, 67.5096, 67.5098, 67.5100, 67.5102, and 67.5103, RSMo, and to enact in lieu thereof eight new sections relating to wireless communications infrastructure deployment.

Senator Lager moved that **SS** for **SCS** for **SB 650** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 650, Page 3, Section 67.5092, Line 9, by striking the words “existing structure” and inserting in lieu thereof the following:

**“a structure that already has an existing wireless facility”.**

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Silvey offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 650, Page 4, Section 67.5092, Line 27, by striking the words “two thousand five hundred” and inserting in lieu thereof the following: **“one thousand two hundred fifty”**.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 650, Page 6, Section 67.5094, Line 18, by inserting after all of said line the following, **“For collocation to any certified historic structure as defined in section 253.545, in addition to all other applicable time requirements, there shall be a thirty day time period before approval of an application. During such time period, an authority shall hold one or more public hearings on collocation to a certified historic structure.”**

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Lager moved that **SS** for **SCS** for **SB 650**, as amended, be adopted, which motion prevailed.

On motion of Senator Lager, **SS** for **SCS** for **SB 650**, as amended, was declared perfected and ordered printed.

Senator Lager moved that **SB 651**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS for SB 651**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 651

An Act to repeal sections 392.415, 392.461, and 392.611, RSMo, and to enact in lieu thereof three new sections relating to communications services.

Was taken up.

Senator Lager moved that **SCS for SB 651** be adopted, which motion prevailed.

On motion of Senator Lager, **SCS for SB 651** was declared perfected and ordered printed.

Senator Lager moved that **SB 652** be taken up for perfection, which motion prevailed.

On motion of Senator Lager, **SB 652** was declared perfected and ordered printed.

Senator Lager moved that **SB 653**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS for SB 653**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 653

An Act to repeal sections 67.1830 and 67.5104, RSMo, and to enact in lieu thereof two new sections relating to municipal utility poles.

Was taken up.

Senator Lager moved that **SCS for SB 653** be adopted.

Senator Lager offered **SS for SCS for SB 653**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 653

An Act to repeal sections 67.1830 and 67.5104, RSMo, and to enact in lieu thereof two new sections relating to municipal utility poles.

Senator Lager moved that **SS for SCS for SB 653** be adopted.

Senator Dixon offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 653, Page 7, Section 67.5104, Lines 16-18 of said page, by striking said lines and inserting in lieu thereof the following: “**controlled** by a municipal utility **or municipality**, but not a wireless antenna attachment or an attachment by a wireless communications provider to a pole. **A municipal utility or municipality**”.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 2**:

## SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 653, Page 10, Section 67.5104, Line 10, by inserting after all of said line the following:

**“6. A municipal utility or municipality may, after reasonable notice and an opportunity to cure, revoke a pole attachment permit granted to an attaching entity and require removal of the attachment, with or without fee refund, and impose a penalty as established by the municipal utility or municipality for breach of the pole attachment agreement or permit until the breach is cured, but only in the event of a substantial breach of the terms and material conditions of the pole attachment agreement or permit. A substantial breach by an attaching entity shall be limited to:**

**(1) A material violation of a provision of the pole attachment agreement or permit;**

**(2) An evasion or attempt to evade any material provision of a pole attachment agreement or permit, or the perpetration or attempt to perpetrate any fraud or deceit upon the municipal utility or municipality;**

**(3) A material misrepresentation of fact in the pole attachment agreement or permit application;**

**(4) A failure to complete work by the date specified in the pole attachment agreement or permit, unless an extension is obtained or unless the failure to complete the work is due to reasons beyond the attaching entity’s control; or**

**(5) A failure to correct, within the time specified by the municipal utility or municipality, work that does not conform to applicable national safety codes, industry construction standards, or local safety codes that are not more stringent than national safety codes, upon inspection and notification by the municipal utility or municipality of the faulty condition.”**

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Lager moved that **SS for SCS for SB 653**, as amended, be adopted, which motion prevailed.

On motion of Senator Lager, **SS for SCS for SB 653**, as amended, was declared perfected and ordered printed.

Senator Dixon moved that **SJR 30** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Dixon offered **SA 1**:

## SENATE AMENDMENT NO. 1

Amend Senate Joint Resolution No. 30, Page 2, Section 51, Line 8, by inserting immediately after the word “law” the following: **“, unless this constitution or law provides otherwise”**; and further amend line 15, by striking “as provided by law” and inserting in lieu thereof the following: **“unless this constitution or law provides otherwise”**; and further amend line 16, by inserting immediately after the word “vacancy” the following: **“or expiration of term of office”**.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Kraus assumed the Chair.

Senator Schmitt offered **SA 2**:

**SENATE AMENDMENT NO. 2**

Amend Senate Joint Resolution No. 30, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“Section 4. **(1)** The governor shall fill all vacancies in public offices unless otherwise provided by law, and his appointees **for elective office** shall serve until their successors are duly elected [or appointed] and qualified. **For any vacancy in the office of lieutenant governor, the governor shall, within thirty days, issue a writ of election to fill the vacancy for the remainder of the term in which such vacancy occurred and until the successor is elected, commissioned, and qualified. Such election shall be held at the next general election.**

**(2) All officers appointed by the governor for non-elective offices shall hold office until their term ends and for up to sixty days after the expiration of the term of the office. If no successor is appointed, then the non-elective office shall become vacant sixty days after the expiration of the officer’s term and remain vacant until such time as a successor is appointed.”; and**

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Keaveny offered **SA 3**:

**SENATE AMENDMENT NO. 3**

Amend Senate Joint Resolution No. 30, Page 2, Section 51, Line 23, by striking the word “thirty” and inserting in lieu thereof the following: **“forty-five”**.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Dixon, **SJR 30**, as amended, was declared perfected and ordered printed.

**SB 613**, with **SCS**, was placed on the Informal Calendar.

President Pro Tem Dempsey assumed the Chair.

**REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 651**; **SB 649** and **SB 652**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

On behalf of Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, Senator Richard submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 530**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 518**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

### INTRODUCTIONS OF GUESTS

On behalf of Senator Pearce, the President introduced to the Senate, Carol Gregg, Missouri Arts Council.

Senator Lamping introduced to the Senate, the Physician of the Day, Robb Hicks, M.D., St. Louis.

On motion of Senator Richard, the Senate adjourned under the rules.

### SENATE CALENDAR

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SIXTEENTH DAY—WEDNESDAY, FEBRUARY 5, 2014

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### FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 725-Nieves	SB 745-Munzlinger
SB 726-Chappelle-Nadal	SB 746-Munzlinger
SB 727-Chappelle-Nadal	SB 748-Walsh
SB 728-Sifton	SB 749-Walsh
SB 729-Romine	SB 750-Walsh
SB 730-Nasheed	SB 751-LeVota
SB 731-Nasheed	SB 752-LeVota
SB 732-Keaveny	SB 753-Keaveny
SB 733-Schaefer	SB 754-Sater and Justus
SB 734-Cunningham	SB 755-Wallingford
SB 735-Brown	SB 756-Schaefer
SB 736-Sater	SB 757-Justus, et al
SB 737-Walsh	SB 758-Justus
SB 738-Walsh	SB 759-Sifton
SB 739-Romine	SB 760-Chappelle-Nadal
SB 740-Lamping, et al	SB 761-Wallingford
SB 741-Rupp	SB 762-Schaefer
SB 742-Schmitt	SB 763-Schaefer
SB 743-Schmitt	SB 764-Lager
SB 744-Nieves	SB 765-Chappelle-Nadal

SB 766-Keaveny	SB 799-Emery
SB 767-Schmitt, et al	SB 800-Romine
SB 768-Pearce	SB 801-Holsman
SB 769-Pearce	SB 802-Dixon
SB 770-Wallingford	SB 803-Justus
SB 771-Sater	SB 804-Schaaf
SB 772-Lamping	SB 805-Justus
SB 773-Rupp	SB 806-LeVota
SB 774-Dempsey	SB 807-LeVota and Curls
SB 775-Walsh	SB 808-Wasson
SB 776-Nieves	SB 809-Wasson
SB 777-Nieves	SB 810-Holsman
SB 778-Nieves	SB 811-Schaaf
SB 779-Munzlinger	SB 812-Parson
SB 780-LeVota	SB 813-LeVota
SB 781-LeVota	SB 814-Brown
SB 782-Romine	SB 815-Pearce
SB 783-Romine	SB 816-Sater
SB 784-Romine	SB 817-Sifton
SB 785-Kehoe	SB 818-Kehoe
SB 786-Schmitt	SB 819-Wallingford
SB 787-Justus	SB 820-Schaefer
SB 788-Brown	SB 821-Schaefer
SB 789-Dixon	SB 822-Parson
SB 790-Dixon	SB 823-Dixon
SB 791-Parson and Schaaf	SB 824-Dixon
SB 792-Parson	SB 825-Chappelle-Nadal
SB 793-Dixon	SJR 44-Schaefer
SB 794-Chappelle-Nadal	SJR 45-Silvey
SB 795-Lager	SJR 46-Emery
SB 796-Parson	SJR 47-Lager
SB 797-Nieves	SJR 48-Kehoe
SB 798-Emery	

## THIRD READING OF SENATE BILLS

SS for SB 507-Dixon	SB 649-Lager
SCS for SB 651-Lager	SB 652-Lager



## SENATE BILLS FOR PERFECTION

SB 530-Libla, with SCS

SB 518-Sater, with SCS

## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

SB 492-Pearce, with SCS (pending)

SB 613-Nieves, et al, with SCS

SBs 509 &amp; 496-Kraus, with SCS

## CONSENT CALENDAR

Senate Bills

Reported 1/30

SB 506-Munzlinger

SB 630-Wallingford, with SCS

SB 591-Sater

SB 639-Brown, with SCS

## RESOLUTIONS

To be Referred

SCR 31-Parson

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# Journal of the Senate

## SECOND REGULAR SESSION

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**SIXTEENTH DAY—WEDNESDAY, FEBRUARY 5, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“...for it is God who is at work in you, enabling you both to will and to work for his good pleasure.” (Philippians 2:13)

Almighty God, may we walk the walk You would have us make. Increase our sense of being united with You so that Your Spirit shows us the things we ought to do and give us the grace and power to do what You require of us to do this day. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

**Present—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

**Absent—Senators—None**

**Absent with leave—Senator Rupp—1**

**Vacancies—1**

The Lieutenant Governor was present.

## **RESOLUTIONS**

Senator Justus offered Senate Resolution No. 1271, regarding Officer I John Dominguez, Vandalia, which was adopted.

Senator Lager offered Senate Resolution No. 1272, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Roy Hazzard, Gallatin, which was adopted.

### **INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 826**—By Brown.

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to compensation for corrections officers.

**SB 827**—By Keaveny.

An Act to repeal section 160.261, RSMo, and to enact in lieu thereof two new sections relating to the use of corporal punishment in schools, with an existing penalty provision.

**SB 828**—By Schaaf.

An Act to repeal section 630.175, RSMo, and to enact in lieu thereof one new section relating to mental health facility safety provisions.

**SB 829**—By Kraus.

An Act to repeal section 136.300, RSMo, and to enact in lieu thereof one new section relating to tax liability disputes.

**SB 830**—By Parson.

An Act to repeal section 537.067, RSMo, and to enact in lieu thereof one new section relating to joint and several liability.

**SB 831**—By Wallingford.

An Act to amend chapter 195, RSMo, by adding thereto one new section relating to the disposition of criminal offenses involving drug overdoses.

### **SENATE BILLS FOR PERFECTION**

Senator Libla moved that **SB 530**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 530**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 530**

An Act to repeal sections 211.183 and 211.447, RSMo, and to enact in lieu thereof two new sections relating to termination of parental rights.

Was taken up.

Senator Libla moved that **SCS** for **SB 530** be adopted.

Senator Pearce assumed the Chair.

Senator Schmitt assumed the Chair.

At the request of Senator Libla, **SB 530**, with **SCS** (pending), was placed on the Informal Calendar.

Senator Sater moved that **SB 518**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 518**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 518

An Act to repeal section 208.166, RSMo, and to enact in lieu thereof one new section relating to MO HealthNet managed care services.

Was taken up.

Senator Sater moved that **SCS** for **SB 518** be adopted.

Senator LeVota offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 518, Page 1, In the Title, Line 3, by striking the words “managed care”; and

Further amend said bill, page 3, section 208.166, line 86, by inserting after all of said line the following:

**“208.207. 1. Beginning January 1, 2015, individuals age nineteen to sixty-four, who are not otherwise eligible for MO HealthNet services under this chapter, who qualify for MO HealthNet services under section 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) and as set forth in 42 CFR 435.119, and who have income at or below one hundred thirty-three percent of the federal poverty level plus five percent of the applicable family size as determined under 42 U.S.C. 1396a(e)(14) and as set forth in 42 CFR 435.603, shall be eligible for medical assistance under MO HealthNet and shall receive coverage for the health benefits service package.**

**2. For purposes of this section, “health benefits service package” shall mean subject to federal approval, benefits covered by the MO HealthNet program as determined by the department of social services to meet the benchmark or benchmark-equivalent coverage requirement under 42 U.S.C. 1396a(k)(1).**

**3. The reimbursement rate to MO HealthNet providers for MO HealthNet services provided to individuals qualifying under the provisions of this section shall be comparable to commercial reimbursement payment levels with trend adjustment for comparable services. The rates shall be determined annually by the department of social services and the department may develop such rates through a contracted actuary. The higher commercial comparable rates shall only apply for services provided to individuals qualifying under this section.**

**4. In the event that the federal Patient Protection and Affordable Care Act, Public Law 111-148, as amended by the federal Health Care and Education Reconciliation Act of 2010, Public Law 111-152, and any amendments thereto, is repealed in whole or in part or if federal funds at the disposal of the state for payments of money benefits to or on behalf of any persons under this section shall at any time become insufficient or are not appropriated to pay the percentages specified in Section 2001 of PL 111-148, as that section existed on March 28, 2010, this section shall no longer be effective.”; and**

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Lamping, Keaveny, Justus and Chappelle-Nadal.

At the request of Senator Sater, **SB 518**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 653**; **SS** for **SCS** for **SB 650**; and **SJR 30**, begs leave to report that it has examined the same and finds that the bills and joint resolution have been truly perfected and that the printed copies furnished the Senators are correct.

### **REFERRALS**

President Pro Tem Dempsey referred **SJR 30** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey referred **SCR 31** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Richard, the Senate recessed until 4:30 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Pearce.

### **RESOLUTIONS**

Senator Schaaf offered Senate Resolution No. 1273, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jay Garrett, Easton, which was adopted.

Senator Cunningham offered Senate Resolution No. 1274, regarding David A. Goodman, Bucyrus, which was adopted.

Senator Cunningham offered Senate Resolution No. 1275, regarding Logan-Rogersville Primary School, which was adopted.

### **SENATE BILLS FOR PERFECTION**

Senator Sater moved that **SB 518**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 1** was again taken up.

Senator Schmitt assumed the Chair.

Senator Schaaf offered **SA 1** to **SA 1**:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Committee Substitute for Senate Bill No. 518, Page 2, Section 208.207, Lines 1-2 of said amendment, by striking the following: “provided to individuals qualifying under the provisions of this section”; and further amend lines 6 to 8 of said amendment by striking said lines and inserting in lieu thereof the following: “**rates through a contracted actuary.**”.

Senator Schaaf moved that the above amendment be adopted, which motion failed on a standing division vote.

**SA 1** was again taken up.

Senator Schaaf offered **SA 2** to **SA 1**:

SENATE AMENDMENT NO. 2 TO  
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Committee Substitute for Senate Bill No. 518, Page 2, Section 208.207, Lines 1-8 of said amendment, by striking all of said lines and inserting in lieu thereof the following: “**HealthNet services shall remain at the existing MO HealthNet reimbursement rates as of January 1, 2014.**”.

Senator Schaaf moved that the above amendment be adopted, which motion failed on a standing division vote.

**SA 1** was again taken up.

Senator LeVota moved that the above amendment be adopted, which motion failed by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton
Walsh—9							

NAYS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

Senator Schaaf offered **SA 2**:

## SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 518, Page 3, Section 208.166, Line 86, by inserting after all of said line the following:

**“6. To aid the discovery of how and if MO HealthNet recipients covered under managed care organization health plans are improving in health outcomes and to provide data to the state to target health disparities, the state of Missouri shall establish and maintain an accountability system utilizing health information technology. Such system shall:**

**(1) Have the ability to interoperate to collect and aggregate data from disparate systems. Such disparate systems shall include, but not be limited to electronic medical records, claims and eligibility databases, state-managed registries such as public health and immunizations registries, and health information organizations;**

**(2) Provide a quarterly analysis of each of the state managed care organizations to ensure such organizations are meeting required metrics, goals, and quality measurements as defined in the managed care contract such as costs of managed care services as compared to fee-for-service providers, and to provide the state with needed data for future contract negotiations and incentive management;**

**(3) Meet all state health privacy laws and federal Health Insurance Portability and Accountability Act (HIPAA) requirements; and**

**(4) Meet federal data security requirements.”.**

Senator Schaaf moved that the above amendment be adopted.

Senator Sater offered **SA 1** to **SA 2**:

## SENATE AMENDMENT NO. 1 TO

## SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Committee Substitute for Senate Bill No. 518, Page 1, Section 208.166, Line 6, by inserting after the word “shall” the following: “:”;

and further amend lines 7 to 14 by striking all of said lines; and further renumber the remaining subdivisions accordingly; and further amend line 15 by striking the word “quarterly” and inserting in lieu thereof the following: **“biannual”**.

Senator Sater moved that the above amendment be adopted.

At the request of Senator Sater, **SB 518**, with **SCS**, **SA 2** and **SA 1** to **SA 2** (pending), was placed on the Informal Calendar.

**INTRODUCTIONS OF GUESTS**

Senator Richard introduced to the Senate, David Wunderlin, Joplin.

Senator Silvey introduced to the Senate, JoAnn Shaw, Robert Norton and Brian Salak, St. Louis.

Senator Chappelle-Nadal introduced to the Senate, Normandy School Board members.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

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SEVENTEENTH DAY—THURSDAY, FEBRUARY 6, 2014

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 725-Nieves	SB 756-Schaefer
SB 726-Chappelle-Nadal	SB 757-Justus, et al
SB 727-Chappelle-Nadal	SB 758-Justus
SB 728-Sifton	SB 759-Sifton
SB 729-Romine	SB 760-Chappelle-Nadal
SB 730-Nasheed	SB 761-Wallingford
SB 731-Nasheed	SB 762-Schaefer
SB 732-Keaveny	SB 763-Schaefer
SB 733-Schaefer	SB 764-Lager
SB 734-Cunningham	SB 765-Chappelle-Nadal
SB 735-Brown	SB 766-Keaveny
SB 736-Sater	SB 767-Schmitt, et al
SB 737-Walsh	SB 768-Pearce
SB 738-Walsh	SB 769-Pearce
SB 739-Romine	SB 770-Wallingford
SB 740-Lamping, et al	SB 771-Sater
SB 741-Rupp	SB 772-Lamping
SB 742-Schmitt	SB 773-Rupp
SB 743-Schmitt	SB 774-Dempsey
SB 744-Nieves	SB 775-Walsh
SB 745-Munzlinger	SB 776-Nieves
SB 746-Munzlinger	SB 777-Nieves
SB 748-Walsh	SB 778-Nieves
SB 749-Walsh	SB 779-Munzlinger
SB 750-Walsh	SB 780-LeVota
SB 751-LeVota	SB 781-LeVota
SB 752-LeVota	SB 782-Romine
SB 753-Keaveny	SB 783-Romine
SB 754-Sater and Justus	SB 784-Romine
SB 755-Wallingford	SB 785-Kehoe



SB 786-Schmitt	SB 812-Parson
SB 787-Justus	SB 813-LeVota
SB 788-Brown	SB 814-Brown
SB 789-Dixon	SB 815-Pearce
SB 790-Dixon	SB 816-Sater
SB 791-Parson and Schaaf	SB 817-Sifton
SB 792-Parson	SB 818-Kehoe
SB 793-Dixon	SB 819-Wallingford
SB 794-Chappelle-Nadal	SB 820-Schaefer
SB 795-Lager	SB 821-Schaefer
SB 796-Parson	SB 822-Parson
SB 797-Nieves	SB 823-Dixon
SB 798-Emery	SB 824-Dixon
SB 799-Emery	SB 825-Chappelle-Nadal
SB 800-Romine	SB 826-Brown
SB 801-Holsman	SB 827-Keaveny
SB 802-Dixon	SB 828-Schaaf
SB 803-Justus	SB 829-Kraus
SB 804-Schaaf	SB 830-Parson
SB 805-Justus	SB 831-Wallingford
SB 806-LeVota	SJR 44-Schaefer
SB 807-LeVota and Curls	SJR 45-Silvey
SB 808-Wasson	SJR 46-Emery
SB 809-Wasson	SJR 47-Lager
SB 810-Holsman	SJR 48-Kehoe
SB 811-Schaaf	

### THIRD READING OF SENATE BILLS

SS for SB 507-Dixon	SS for SCS for SB 653-Lager
SCS for SB 651-Lager	SS for SCS for SB 650-Lager
SB 649-Lager	SJR 30-Dixon (In Fiscal Oversight)
SB 652-Lager	

### INFORMAL CALENDAR

### SENATE BILLS FOR PERFECTION

SB 492-Pearce, with SCS (pending)	SBs 509 & 496-Kraus, with SCS
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SB 518-Sater, with SCS, SA 2 & SA 1 to  
SA 2 (pending)

SB 530-Libla, with SCS (pending)  
SB 613-Nieves, et al, with SCS

CONSENT CALENDAR

Senate Bills

Reported 1/30

SB 506-Munzlinger  
SB 591-Sater

SB 630-Wallingford, with SCS  
SB 639-Brown, with SCS

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# Journal of the Senate

## SECOND REGULAR SESSION

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**SEVENTEENTH DAY—THURSDAY, FEBRUARY 6, 2014**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Let the wise also hear and gain in learning, and the discerning acquire skill.” (Proverbs 1:5)

Gracious God, it has been a week to accomplish many things, people to listen to and items to discern and for that we are grateful. Now we finish up a few things and head home to loved ones to our time with them. Be with us during our travel and bring us safely home. Help us to be open to Your teachings and rejoice in Your presence with those we love. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

**Present—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

**Absent—Senators—None**

**Absent with leave—Senator Rupp—1**

**Vacancies—1**

The Lieutenant Governor was present.

## **RESOLUTIONS**

Senator LeVota offered Senate Resolution No. 1276, regarding the death of Sharon Rose Keith, Kansas City, which was adopted.

Senator Schaefer offered Senate Resolution No. 1277, regarding the One Hundred Seventy-fifth Anniversary of University of Missouri, which was adopted.

### **INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 832**—By Walsh.

An Act to amend chapter 194, RSMo, by adding thereto one new section relating to a health care directives registry.

**SB 833**—By Walsh.

An Act to amend chapters 375 and 379, RSMo, by adding thereto two new sections relating to homeowner's insurance.

**SB 834**—By Walsh.

An Act to repeal sections 290.210 and 290.230, RSMo, and to enact in lieu thereof two new sections relating to bidding for public works projects.

**SB 835**—By Munzlinger.

An Act to repeal sections 50.333 and 57.280, RSMo, and to enact in lieu thereof two new sections relating to compensation for county sheriffs.

**SB 836**—By Munzlinger.

An Act to authorize the governor to convey property owned by the state.

**SB 837**—By Sifton.

An Act to repeal section 415.415, RSMo, and to enact in lieu thereof one new section relating to self-service storage facilities.

**SB 838**—By Emery.

An Act to amend chapter 135, RSMo, by adding thereto seven new sections relating to scholarships for eligible students to attend certain nonpublic schools.

**SB 839**—By Sater.

An Act to repeal section 523.262, RSMo, and to enact in lieu thereof one new section relating to the eminent domain power of utilities.

**SB 840**—By Pearce.

An Act to repeal section 304.820, RSMo, and to enact in lieu thereof one new section relating to the use of electronic wireless communications devices while operating a motor vehicle, with existing penalty provisions.

**SB 841**—By Wasson.

An Act to repeal sections 191.775, 407.925, 407.926, 407.927, 407.928, 407.929, 407.931, 407.933, and 407.934, RSMo, and to enact in lieu thereof nine new sections relating to alternative nicotine or vapor

products, with penalty provisions.

**SB 842**—By Parson.

An Act to repeal section 142.941, RSMo, and to enact in lieu thereof one new section relating to diesel fuel inspections.

**SB 843**—By Schaefer.

An Act to repeal sections 610.010, 610.020, 610.021, 610.022, 610.023, 610.024, 610.026, and 610.027, RSMo, and to enact in lieu thereof eight new sections relating to public records and meetings, with existing penalty provisions.

### THIRD READING OF SENATE BILLS

**SB 506**, introduced by Senator Munzlinger, entitled:

An Act to repeal section 277.040, RSMo, and to enact in lieu thereof one new section relating to agriculture.

Was called from the Consent Calendar and taken up.

On motion of Senator Munzlinger, **SB 506** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Kehoe assumed the Chair.

**SB 591**, introduced by Senator Sater, entitled:

An Act to repeal section 275.352, RSMo, relating to beef commodity merchandising program fees.

Was called from the Consent Calendar and taken up.

On motion of Senator Sater, **SB 591** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 630**, with **SCS**, introduced by Senator Wallingford, entitled:

An Act to repeal sections 115.124 and 115.395, RSMo, and to enact in lieu thereof two new sections relating to the process for establishing candidate names on ballots, with an emergency clause.

Was called from the Consent Calendar and taken up.

**SCS** for **SB 630**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 630

An Act to repeal sections 115.124 and 115.395, RSMo, and to enact in lieu thereof two new sections relating to the process for establishing candidate names on ballots, with an emergency clause.

Was taken up.

Senator Wallingford moved that **SCS** for **SB 630** be adopted, which motion prevailed.

On motion of Senator Wallingford, **SCS** for **SB 630** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Munzlinger—1

Absent with leave—Senator Rupp—1

Vacancies—1

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 639**, with **SCS**, introduced by Senator Brown, entitled:

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to mammography reports containing information regarding breast density.

Was called from the Consent Calendar and taken up.

**SCS** for **SB 639**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 639

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to mammography reports containing information regarding breast density.

Was taken up.

Senator Brown moved that **SCS** for **SB 639** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **SB 639** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

John Michael Downing, as Director of the Department of Economic Development;

Also,

Nia V. Ray, as Director of the Division of Employment Security;

Also,

Nicole L. Loethen, as a member of the Missouri Quality Home Care Council;

Also,

Marilynn J. Bradford, Independent, as a member of the Conservation Commission;

Also,

Joseph L. Driskill and John A. Martin, Democrats, and O. Victor Lenz Jr., Republican, as members of the State Board of Education;

Also,

Michael Kilgore, as a member of the Kansas City Board of Police Commissioners;

Also,

Douglas R. Kennedy, Democrat, as a member of the Coordinating Board for Higher Education;

Also,

Harry Riley Bock, Democrat, as a member of the Public Defender Commission;



Also,

Donald G. LaFerla, Republican, as a member of the Southeast Missouri State University Board of Regents;

Also,

Joseph Hunt, Democrat, as a member of the Regional Convention and Sports Complex Authority;

Also,

William L. Manes, as a member of the Board of Boiler and Pressure Vessel Rules;

Also,

Steven E. Renne, as a member of the Missouri Electronic Prior Authorization Committee;

Also,

Lisa Jan Taylor Crandall, as a member of the Missouri Planning Council for Developmental Disabilities;

Also,

John J. Larsen Jr., Democrat, as a member of the Labor and Industrial Relations Commission;

Also,

Vincil M. Wilt, Democrat, as a member of the Missouri Veterinary Medical Board;

Also,

Richard Fordyce, as Director of the Department of Agriculture;

Also,

Gregg C. Smith, Democrat, as a member of the State Highways and Transportation Commission; and

William Compere, as a member of the Public School Retirement System of Missouri Board of Trustees.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion, which request was denied.

Senator Schaaf requested the committee reports on O. Victor Lenz Jr. and John A. Martin, as members of the State Board of Education, be voted on separately, which request was granted.

Senator Dempsey requested unanimous consent of the Senate to vote on the remaining committee reports in one motion, which request was granted.

Senator Dempsey moved that the remaining committee reports be adopted and the Senate do give its advice and consent to said appointments, which motion prevailed.

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following report:

Mr. President: Your Committee on Gubernatorial Appointments to which was referred the appointment of O. Victor Lenz Jr., Republican, as a member of the State Board of Education, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said

appointment.

Senator Schmitt moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed on a standing division vote.

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following report:

Mr. President: Your Committee on Gubernatorial Appointments to which was referred the appointment of John A. Martin, Democrat, as a member of the State Board of Education, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Holsman moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

### **MESSAGES FROM THE GOVERNOR**

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 6, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment to office made by me and submitted to you on January 8, 2014, for your advice and consent:

Mary D. Craig, 600 Lincoln Street, Green Castle, Sullivan County, Missouri 63544, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, Mary D. Craig, withdrawn.

Anna E. Crosslin, Democrat, 3651 Shenandoah, St. Louis City, Missouri 63110, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2019, and until her successor is duly appointed and qualified; vice, Anna E. Crosslin, withdrawn.

Bruce Darrough, Democrat, 3748 Cranberry Court, Florissant, St. Louis County, Missouri 63033, as a member of the Linn State Technical College Board of Regents, for a term ending December 29, 2013, and until his successor is duly appointed and qualified; vice, Bruce Darrough, withdrawn.

Tim Dollar, Democrat, 1079 Lake Point Court, Blue Springs, Jackson County, Missouri 64014, as a member of the Conservation Commission, for a term ending June 30, 2019, and until his successor is duly appointed and qualified; vice, Tim Dollar, withdrawn.

Dennis D. Fowler, Republican, 30473 State Highway 25, Advance, Stoddard County, Missouri 63730, as a member of the Board of Probation and Parole, for a term ending December 17, 2019, and until his successor is duly appointed and qualified; vice, Brian C. Jamison, term expired.

Rhonda K. Haight, 12020 Northeast 148<sup>th</sup> Street, Liberty, Clay County, Missouri 64068, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2015, and until her successor is duly appointed and qualified; vice, Rhonda K. Haight, withdrawn.

Patricia L. Kohl, 2836 Manderly Drive, Brentwood, Saint Louis County, Missouri 63144, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, Patricia L. Kohl, withdrawn.

Kelley M. Martin, Republican, 5915 Northwest 96<sup>th</sup> Terrace, Kansas City, Platte County, Missouri 64154, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2019, and until his successor is duly appointed and qualified; vice, Kelley M. Martin, withdrawn.

Arteveld J. McCoy II, Independent, 334 Reighley Place, Florissant, St. Louis County, Missouri 63033, as a member of the Harris-Stowe State University Board of Regents, for a term ending July 28, 2018, and until his successor is duly appointed and qualified; vice, Arteveld J. McCoy II, withdrawn.

William Miller, Democrat, 12502 Bielefeld Court, Black Jack, Saint Louis County, Missouri 63033, as a member of the Missouri Housing Development Commission, for a term ending October 13, 2017, and until his successor is duly appointed and qualified; vice, David B. Cosgrove, term expired.

Larry B. Newcomb, 300 Chestnut Avenue, Webster Groves, Saint Louis County, Missouri 63119, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until his successor is duly appointed and qualified; vice, Larry B. Newcomb, withdrawn.

Donna L. Newman, 4122 Mercier, Kansas City, Jackson County, Missouri 64111, as a member of the Advisory Commission for Physical Therapists, for a term ending October 1, 2015, and until her successor is duly appointed and qualified; vice, Donna L. Newman, withdrawn.

Judith Grace O'Connor, Democrat, 3321 Steeple Hill, Saint Charles, Saint Charles County, Missouri 63301, as a member of the Missouri Health Facilities Review Committee, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, Judith Grace O'Connor, withdrawn.

Jill L. Patterson, 1741 East Briar Street, Springfield, Greene County, Missouri 65804, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2015, and until her successor is duly appointed and qualified; vice, Jill L. Patterson, withdrawn.

Joseph E. Pierle, 1224 Rosner Hills Road, Jefferson City, Cole County, Missouri 65109, as a member of the Missouri Electronic Prior Authorization Committee, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified; vice, Joseph E. Pierle, withdrawn.

J. Michael Ponder, Democrat, 3041 Keystone, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2019, and until his successor is duly appointed and qualified; vice, J. Michael Ponder, withdrawn.

Sam P. Schaumann, Independent, 638 Lotus Road, Billings, Christian County, Missouri 65610, as a member of the State Soil and Water Districts Commission, for a term ending August 15, 2014, and until his successor is duly appointed and qualified; vice, Sam P. Schaumann, withdrawn.

Jennifer L. Schoonover, 9227 Southwest Josh Ridge Road, Trimble, Clinton County, Missouri 64492, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2014, and until her successor is duly appointed and qualified; vice, Jennifer L. Schoonover, withdrawn.

Bryan T. Scott, Democrat, 4349 Washington Boulevard, St. Louis City, Missouri 63108, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2017, and until his successor is duly appointed and qualified; vice, Bryan T. Scott, withdrawn.

James Kendall Seal, Democrat, 7845 Northwest Roanridge Drive, Apartment F, Kansas City, Platte County, Missouri 64151, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2019, and until his successor is duly appointed and qualified; vice, James Kendall Seal, withdrawn.

Alan Wells, Democrat, 1415 Highway H, Farmington, Saint Francois County, Missouri 63640, as a member of the Public Defender Commission, for a term ending January 6, 2020, and until his successor is duly appointed and qualified; vice, Muriel A. Brison, term expired.

Deborah White, 4411 Southeast Highway 116, Dearborn, Buchanan County, Missouri 64439, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2015, and until her successor is duly appointed and qualified; vice, Deborah White, withdrawn.

April S. Wilson, Rural Route 1 Box 165A, Memphis, Scotland County, Missouri 63555, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, April S. Wilson, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Senator Dempsey moved that the above appointments be returned to the Governor.

At the request of Senator Dempsey, the above motion was withdrawn.

Senator Dempsey moved that the above appointments be returned to the Governor, with the exception that the return of the appointment of Tim Dollar as a member of the Conservation Commission be considered separately, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Dempsey moved that the appointment of Tim Dollar, as a member of the Conservation Commission, be returned to the Governor, which motion failed on a standing division vote.

President Pro Tem Dempsey assumed the Chair.

**REPORTS OF STANDING COMMITTEES**

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SJR 30**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 605**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1125**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 528**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SR 1168**, begs leave to report that it has considered the same and recommends that the resolution do pass.

**THIRD READING OF SENATE BILLS**

**SS** for **SB 507**, introduced by Senator Dixon, entitled:

**SENATE SUBSTITUTE FOR  
SENATE BILL NO. 507**

An Act to repeal sections 21.110, 28.060, 28.190, 29.280, 30.060, 30.070, 32.010, 37.010, 105.010, 105.050, 192.007, 217.035, 261.010, 286.005, 287.610, 374.020, 374.080, 620.010, 640.010, 650.005, and 660.010, RSMo, and to enact to lieu thereof twenty-three new sections relating to vacancies in certain public offices, with a referendum clause and a contingent effective date.

Was taken up.

On motion of Senator Dixon, **SS** for **SB 507** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt

Silvey                      Wallingford                      Wasson—27

NAYS—Senators

Justus                      Keaveny                      Nieves                      Sifton                      Walsh—5

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

The President Pro Tem declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 651**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 651

An Act to repeal sections 392.415, 392.461, and 392.611, RSMo, and to enact in lieu thereof three new sections relating to communications services.

Was taken up by Senator Lager.

On motion of Senator Lager, **SCS** for **SB 651** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

The President Pro Tem declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 649**, introduced by Senator Lager, entitled:

An Act to repeal sections 67.1830, 67.1836, 67.1838, and 67.1842, RSMo, and to enact in lieu thereof four new sections relating to right-of-way of political subdivisions.

Was taken up.

On motion of Senator Lager, **SB 649** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

The President Pro Tem declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 652**, introduced by Senator Lager, entitled:

An Act to repeal sections 389.585, 389.586, 389.587, 389.588, 389.589, and 389.591, RSMo, and to enact in lieu thereof six new sections relating to utility access to railroad right-of-way.

Was taken up.

On motion of Senator Lager, **SB 652** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

The President Pro Tem declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Schaaf moved that motion lay on the table, which motion prevailed.

**SS for SCS for SB 653**, introduced by Senator Lager, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 653

An Act to repeal sections 67.1830 and 67.5104, RSMo, and to enact in lieu thereof two new sections relating to municipal utility poles.

Was taken up.

On motion of Senator Lager, **SS for SCS for SB 653** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator LeVota—1

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

The President Pro Tem declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS for SCS for SB 650**, introduced by Senator Lager, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 650

An Act to repeal sections 67.5090, 67.5092, 67.5094, 67.5096, 67.5098, 67.5100, 67.5102, and 67.5103,

RSMo, and to enact in lieu thereof eight new sections relating to wireless communications infrastructure deployment.

Was taken up.

On motion of Senator Lager, **SS** for **SCS** for **SB 650** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Wallingford	Walsh	Wasson—31	

NAYS—Senator Silvey—1

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

The President Pro Tem declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SJR 30**, introduced by Senator Dixon, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 4, 10, and 51 of article IV of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to gubernatorial appointments.

Was taken up.

On motion of Senator Dixon, **SJR 30** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Silvey	Wallingford	Wasson—27					

NAYS—Senators

Justus	Keaveny	Sifton	Walsh—4
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Absent—Senator Chappelle-Nadal—1



Absent with leave—Senator Rupp—1

Vacancies—1

The President Pro Tem declared the joint resolution passed.

On motion of Senator Dixon, title to the joint resolution was agreed to.

Senator Dixon moved that the vote by which the joint resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### **INTRODUCTION OF BILLS**

The following Bill was read the 1st time and ordered printed:

**SB 844**—By Dixon.

An Act to repeal section 288.500, RSMo, and to enact in lieu thereof one new section relating to the shared work unemployment compensation program, with an emergency clause.

Senator Pearce assumed the Chair.

### **SECOND READING OF SENATE BILLS**

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

**SB 725**—Transportation and Infrastructure.

**SB 726**—Financial and Governmental Organizations and Elections.

**SB 727**—Ways and Means.

**SB 728**—Financial and Governmental Organizations and Elections.

**SB 729**—Jobs, Economic Development and Local Government.

**SB 730**—Education.

**SB 731**—Jobs, Economic Development and Local Government.

**SB 732**—Judiciary and Civil and Criminal Jurisprudence.

**SB 733**—Ways and Means.

**SB 734**—Governmental Accountability and Fiscal Oversight.

**SB 735**—Agriculture, Food Production and Outdoor Resources.

**SB 736**—Governmental Accountability and Fiscal Oversight.

**SB 737**—Rules, Joint Rules, Resolutions and Ethics.

**SB 738**—Rules, Joint Rules, Resolutions and Ethics.

**SB 739**—Veterans’ Affairs and Health.

**SB 740**—Jobs, Economic Development and Local Government.

**SB 741**—Small Business, Insurance and Industry.

**SB 742**—Jobs, Economic Development and Local Government.

**SB 743**—Jobs, Economic Development and Local Government.

**SB 744**—General Laws.

**SB 745**—Judiciary and Civil and Criminal Jurisprudence.

**SB 746**—Transportation and Infrastructure.

**SB 748**—Veterans’ Affairs and Health.

**SB 749**—Financial and Governmental Organizations and Elections.

**SB 750**—General Laws.

**SB 751**—Financial and Governmental Organizations and Elections.

**SB 752**—Rules, Joint Rules, Resolutions and Ethics.

**SB 753**—Governmental Accountability and Fiscal Oversight.

**SB 754**—Seniors, Families and Pensions.

**SB 755**—Small Business, Insurance and Industry.

**SB 756**—Education.

**SJR 44**—Ways and Means.

**SJR 45**—Appropriations.

**SJR 46**—Ways and Means.

**SJR 47**—Rules, Joint Rules, Resolutions and Ethics.

**SJR 48**—Transportation and Infrastructure.

### **INTRODUCTIONS OF GUESTS**

Senator Sifton introduced to the Senate, Amy Stovall, Colorado Springs, Colorado.

Senator Kehoe introduced to the Senate, representatives of Mr. Historically Black College and University Kings Leadership Conference and Competition.

On behalf of Senator Schaefer and herself, Senator Justus introduced to the Senate, Thomas Schappe, Columbia.

Senator Schaefer introduced to the Senate, his children, Maximilian, Wolfgang and Magdalena.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, February 10, 2014.

SENATE CALENDAR

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EIGHTEENTH DAY—MONDAY, FEBRUARY 10, 2014

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 757-Justus, et al	SB 791-Parson and Schaaf
SB 758-Justus	SB 792-Parson
SB 759-Sifton	SB 793-Dixon
SB 760-Chappelle-Nadal	SB 794-Chappelle-Nadal
SB 761-Wallingford	SB 795-Lager
SB 762-Schaefer	SB 796-Parson
SB 763-Schaefer	SB 797-Nieves
SB 764-Lager	SB 798-Emery
SB 765-Chappelle-Nadal	SB 799-Emery
SB 766-Keaveny	SB 800-Romine
SB 767-Schmitt, et al	SB 801-Holsman
SB 768-Pearce	SB 802-Dixon
SB 769-Pearce	SB 803-Justus
SB 770-Wallingford	SB 804-Schaaf
SB 771-Sater	SB 805-Justus
SB 772-Lamping	SB 806-LeVota
SB 773-Rupp	SB 807-LeVota and Curls
SB 774-Dempsey	SB 808-Wasson
SB 775-Walsh	SB 809-Wasson
SB 776-Nieves	SB 810-Holsman
SB 777-Nieves	SB 811-Schaaf
SB 778-Nieves	SB 812-Parson
SB 779-Munzlinger	SB 813-LeVota
SB 780-LeVota	SB 814-Brown
SB 781-LeVota	SB 815-Pearce
SB 782-Romine	SB 816-Sater
SB 783-Romine	SB 817-Sifton
SB 784-Romine	SB 818-Kehoe
SB 785-Kehoe	SB 819-Wallingford
SB 786-Schmitt	SB 820-Schaefer
SB 787-Justus	SB 821-Schaefer
SB 788-Brown	SB 822-Parson
SB 789-Dixon	SB 823-Dixon, et al
SB 790-Dixon	SB 824-Dixon

SB 825-Chappelle-Nadal  
SB 826-Brown  
SB 827-Keaveny  
SB 828-Schaaf  
SB 829-Kraus  
SB 830-Parson  
SB 831-Wallingford  
SB 832-Walsh  
SB 833-Walsh  
SB 834-Walsh

SB 835-Munzlinger  
SB 836-Munzlinger  
SB 837-Sifton  
SB 838-Emery  
SB 839-Sater  
SB 840-Pearce  
SB 841-Wasson  
SB 842-Parson  
SB 843-Schaefer  
SB 844-Dixon

#### HOUSE BILLS ON THIRD READING

HB 1125-Dugger, et al

#### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

SB 492-Pearce, with SCS (pending)  
SBs 509 & 496-Kraus, with SCS  
SB 518-Sater, with SCS, SA 2 & SA 1 to  
SA 2 (pending)

SB 530-Libla, with SCS (pending)  
SB 613-Nieves, et al, with SCS

#### CONSENT CALENDAR

Senate Bills

Reported 2/6

SB 605-Dixon

SB 528-Wallingford

#### RESOLUTIONS

Reported from Committee

SR 1168-Parson

# Journal of the Senate

## SECOND REGULAR SESSION

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### EIGHTEENTH DAY—MONDAY, FEBRUARY 10, 2014

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“And this is the victory that conquers the world, our faith.” (1 John 5:4)

Almighty God, You have assured us that You are with us and will come again to us where there will no longer be any sorrow. Our faith in the future gives us power in the present to pursue those things that are right and necessary for us to do. Let Your Spirit empower us this week so that we may be energized and joyful in the work before us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 6, 2014 was read and approved.

Senator Richard announced photographers from KMIZ-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Kehoe offered Senate Resolution No. 1278, regarding the Class 2 State Champion girls volleyball team, Hermann High School, which was adopted.

Senator Silvey offered Senate Resolution No. 1279, regarding Harper Maleigh Ross, Gladstone, which was adopted.

Senator Kraus offered Senate Resolution No. 1280, regarding Dalton James Phelps, Greenwood, which was adopted.

Senator Kraus offered Senate Resolution No. 1281, regarding Lydia Becvar, St. Louis, which was adopted.

Senator Kehoe offered Senate Resolution No. 1282, regarding Craig Husting, which was adopted.

Senator Schaaf offered Senate Resolution No. 1283, regarding Christopher Kyle “CC” Carver, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 1284, regarding Brian William Schroeder, Kansas City, which was adopted.

Senator Schaaf offered Senate Resolution No. 1285, regarding Samuel Patrick Stowers, Kansas City, which was adopted.

Senator Schaaf offered Senate Resolution No. 1286, regarding Michael Kenneth Karr, Riverside, which was adopted.

Senator Schaaf offered Senate Resolution No. 1287, regarding Steven Maxwell Alexander, Kansas City, which was adopted.

Senator Sifton offered Senate Resolution No. 1288, regarding Officer Kevin Helldoerfer, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1289, regarding Officer Joe Sondag, St. Louis, which was adopted.

Senator Richard offered Senate Resolution No. 1290, regarding Kelsey Frost, Carthage, which was adopted.

Senator Schaefer offered Senate Resolution No. 1291, regarding the University of Missouri Cooperative Extension program, which was adopted.

Senator Kehoe offered Senate Resolution No. 1292, regarding Zachary Daniel Smith, Jefferson City, which was adopted.

Senator Schaaf offered Senate Resolution No. 1293, regarding the Fifty-fifth Wedding Anniversary of Mr. and Mrs. Ray Lee Stufflebean, St. Joseph, which was adopted.

Senator Parson offered Senate Resolution No. 1294, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. John B. Mathews, Long Lane, which was adopted.

Senator Schmitt offered Senate Resolution No. 1295, regarding Jaden Nilsen, Ballwin, which was adopted.

## **INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 845**—By Chappelle-Nadal.

An Act to amend chapters 163, 170, and 302, RSMo, by adding thereto three new sections relating to driver education and training.

**SB 846**—By Richard.

An Act to repeal section 537.067, RSMo, and to enact in lieu thereof one new section relating to attorney contingency fees, with a referendum clause.

**SB 847**—By Schaaf.

An Act to repeal sections 105.711, 197.305, 197.310, 197.315, 197.330, 208.010, 208.166, 208.325, 208.955, 334.035, 334.104, 334.735, 354.535, and 538.220, RSMo, and to enact in lieu thereof forty-five new sections relating to the provision of health care, with a penalty provision.

Senator Pearce assumed the Chair.

**SB 848**—By LeVota.

An Act to repeal section 160.545, RSMo, and to enact in lieu thereof one new section relating to reimbursements for dual enrollment courses.

**SB 849**—By Walsh.

An Act to amend chapter 390, RSMo, by adding thereto one new section relating to regulation of contract carriers that transport railroad employees, with an emergency clause.

**SB 850**—By Munzlinger.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to the establishment of a supplemental nutrition assistance pilot program.

**SB 851**—By Munzlinger.

An Act to repeal section 304.154, RSMo, and to enact in lieu thereof two new sections relating to tow truck operations, with penalty provisions.

**SB 852**—By Schmitt.

An Act to repeal section 84.340 and 571.030, RSMo, and to enact in lieu thereof three new sections relating to corporate security advisors, with a penalty provision.

**SB 853**—By Wasson.

An Act to repeal sections 337.025, 337.029, and 337.033, RSMo, and to enact in lieu thereof three new sections relating to the licensure of psychologists.

**SB 854**—By Wasson.

An Act to repeal sections 50.660 and 50.783, RSMo, and to enact in lieu thereof two new sections relating to county purchases.

**SENATE BILLS FOR PERFECTION**

Senator Nieves moved that **SB 613**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 613**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 613**

An Act to repeal sections 1.320, 21.750, 571.030, 571.070, 571.101, 571.107, 571.117, and 590.010, RSMo, and to enact in lieu thereof thirteen new sections relating to firearms, with penalty provisions and a contingent effective date for a certain section.

Was taken up.

Senator Nieves moved that **SCS** for **SB 613** be adopted.

President Pro Tem Dempsey assumed the Chair.

Senator Sifton offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for Senate Bill No. 613, Page 5, Section 1.320, Line 142, by inserting after all of said line the following:

**“9. Nothing contained in this section shall be construed to create any civil liability for, or prohibit any state or local law enforcement officer from, assisting in the federal enforcement or prosecution of violations of Title 18 of the United States Code, in effect on the effective date of this section, for violations involving firearms or ammunition manufactured outside of the state of Missouri.”.**

Senator Sifton moved that the above amendment be adopted.

Senator Schaaf offered **SA 1** to **SA 1**, which was read:

**SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 1**

Amend Senate Amendment No. 1 to Senate Committee Substitute for Senate Bill No. 613, Page 1, Line 8, by inserting after the word “firearms” the following: **“manufactured outside of the state of Missouri”.**

Senator Schaaf moved that the above amendment be adopted.

At the request of Senator Schaaf, **SA 1** to **SA 1** was withdrawn.

**SA 1** was again taken up.

At the request of Senator Sifton, the above amendment was withdrawn.

Senator Holsman offered **SA 2**:

**SENATE AMENDMENT NO. 2**

Amend Senate Committee Substitute for Senate Bill No. 613, Page 7, Section 160.665, Line 10, by inserting after “firearms” the following: **“or a self-defense spray device”**; and



Further amend lines 11-12 by striking all of said lines and inserting in lieu thereof the following: **“any school in the district. A self-defense spray device shall mean any device that is capable of carrying, and that ejects, releases, or emits, a nonlethal solution capable of incapacitating a violent threat. The school protection officer shall not be permitted to allow any firearm or device out of his or her personal control while that firearm or device is on”**; and

Further amend lines 33-35 by striking all of said lines and inserting in lieu thereof the following: **“teacher or administrator. Along with this request, any teacher or administrator seeking to carry a concealed firearm on school property shall also submit proof that he or she has a valid concealed carry endorsement or permit, and all teachers and administrators seeking the designation of school protection officer shall submit a certificate”**; and

Further amend said bill and section, Page 8, lines 42-43 by striking “has a valid concealed carry endorsement or permit and”; and further amend line 45, by inserting at the end of said line the following: **“No school district shall allow a school protection officer to carry a concealed firearm on school property unless the school protection officer has a valid concealed carry endorsement or permit.”**; and further amend line 70, by inserting after all of said line the following:

**“11. Before a school district may designate a teacher or administrator as a school protection officer, the school board shall hold a public hearing on whether to allow such designation. At the hearing, the school board shall determine whether the school protection officer will be authorized to carry a concealed firearm on school property, or a self-defense spray device, or both. Notice of the hearing shall be published at least fifteen days before the date of the hearing in a newspaper of general circulation within the city or county in which the school district is located.”**; and

Further amend said bill, Page 25, Section 571.107, lines 92-99 by striking all of said lines and inserting in lieu thereof the following:

**“(10) Any higher education institution [or elementary or secondary school facility] without the consent of the governing body of the higher education institution [or a school official or the district school board] or any elementary or secondary school unless the person is granted permission pursuant to section 160.665. Possession of a firearm in a vehicle on the premises”**; and

Further amend said bill, Page 31, Section 590.200, Line 14, by striking the word “and”; and further amend line 15, by inserting after the word “force” the following: **“; and**

**(6) Instruction in the proper use of self-defense spray devices”**.

Senator Holsman moved that the above amendment be adopted.

At the request of Senator Nieves, **SB 613**, with **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

## **REPORTS OF STANDING COMMITTEES**

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 498**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 508**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 526**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 610**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 532**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

### INTRODUCTIONS OF GUESTS

Senator Richard introduced to the Senate, Jay Mitchell, Joplin.

Senator Keaveny introduced to the Senate, Mike Magliani, Kirkwood.

On behalf of Senator Pearce, the President introduced to the Senate, Laura Hough, Columbia.

Senator Richard introduced to the Senate, Jon Stouffer, Neosho.

On motion of Senator Richard, the Senate adjourned under the rules.

### SENATE CALENDAR

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NINETEENTH DAY—TUESDAY, FEBRUARY 11, 2014

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### FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 757-Justus, et al

SB 758-Justus

SB 759-Sifton

SB 760-Chappelle-Nadal

SB 761-Wallingford

SB 762-Schaefer

SB 763-Schaefer

SB 764-Lager

SB 765-Chappelle-Nadal	SB 805-Justus
SB 766-Keaveny	SB 806-LeVota
SB 767-Schmitt, et al	SB 807-LeVota and Curls
SB 768-Pearce	SB 808-Wasson
SB 769-Pearce	SB 809-Wasson
SB 770-Wallingford	SB 810-Holsman
SB 771-Sater	SB 811-Schaaf
SB 772-Lamping	SB 812-Parson
SB 773-Rupp	SB 813-LeVota
SB 774-Dempsey	SB 814-Brown
SB 775-Walsh	SB 815-Pearce
SB 776-Nieves	SB 816-Sater
SB 777-Nieves	SB 817-Sifton
SB 778-Nieves	SB 818-Kehoe
SB 779-Munzlinger	SB 819-Wallingford
SB 780-LeVota	SB 820-Schaefer
SB 781-LeVota	SB 821-Schaefer
SB 782-Romine	SB 822-Parson
SB 783-Romine	SB 823-Dixon, et al
SB 784-Romine	SB 824-Dixon
SB 785-Kehoe	SB 825-Chappelle-Nadal
SB 786-Schmitt	SB 826-Brown
SB 787-Justus	SB 827-Keaveny
SB 788-Brown	SB 828-Schaaf
SB 789-Dixon	SB 829-Kraus
SB 790-Dixon	SB 830-Parson
SB 791-Parson and Schaaf	SB 831-Wallingford
SB 792-Parson	SB 832-Walsh
SB 793-Dixon	SB 833-Walsh
SB 794-Chappelle-Nadal	SB 834-Walsh
SB 795-Lager	SB 835-Munzlinger
SB 796-Parson	SB 836-Munzlinger
SB 797-Nieves	SB 837-Sifton
SB 798-Emery	SB 838-Emery
SB 799-Emery	SB 839-Sater
SB 800-Romine	SB 840-Pearce
SB 801-Holsman	SB 841-Wasson
SB 802-Dixon	SB 842-Parson
SB 803-Justus	SB 843-Schaefer
SB 804-Schaaf	SB 844-Dixon

SB 845-Chappelle-Nadal  
SB 846-Richard  
SB 847-Schaaf  
SB 848-LeVota  
SB 849-Walsh

SB 850-Munzlinger  
SB 851-Munzlinger  
SB 852-Schmitt  
SB 853-Wasson  
SB 854-Wasson

#### SENATE BILLS FOR PERFECTION

SB 498-Schaefer  
SB 508-Parson  
SB 526-Cunningham, with SCS

SB 610-Rupp and Parson  
SB 532-Nasheed, with SCS

#### HOUSE BILLS ON THIRD READING

HB 1125-Dugger, et al

#### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

SB 492-Pearce, with SCS (pending)  
SBs 509 & 496-Kraus, with SCS  
SB 518-Sater, with SCS, SA 2 & SA 1 to  
SA 2 (pending)

SB 530-Libla, with SCS (pending)  
SB 613-Nieves, et al, with SCS & SA 2  
(pending)

#### CONSENT CALENDAR

Senate Bills

Reported 2/6

SB 605-Dixon

SB 528-Wallingford

#### RESOLUTIONS

Reported from Committee

SR 1168-Parson

# Journal of the Senate

## SECOND REGULAR SESSION

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**NINETEENTH DAY—TUESDAY, FEBRUARY 11, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“...my Father is still working and so I keep working also.” (John 5:17)

Heavenly Father, You worked for six days before resting and teach us the importance of our needing to work. We recognize that You have placed an emphasis on the importance of our working for it matters to the society we live in. So we ask, bless our efforts and guide our efforts. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

Senator Schaaf requested unanimous consent of the Senate to allow law enforcement officers from Platte and Clay counties to enter the Chamber with side arms, which request was granted.

## RESOLUTIONS

Senator Sater offered Senate Resolution No. 1296, regarding James Smith, Cassville, which was adopted.

Senator Sater offered Senate Resolution No. 1297, regarding Officer Justin Fohn, Cassville, which was adopted.

Senator Sater offered Senate Resolution No. 1298, regarding Cox Monett Hospital, which was adopted.

Senator Sater offered Senate Resolution No. 1299, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Frank Hudson, which was adopted.

Senator Sater offered Senate Resolution No. 1300, regarding Ryan Pennell, Aurora, which was adopted.

Senator Parson offered Senate Resolution No. 1301, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. John Skidmore, Collins, which was adopted.

Senator Parson offered Senate Resolution No. 1302, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Paul Estes, which was adopted.

Senator Parson offered Senate Resolution No. 1303, regarding the Fiftieth Wedding Anniversary of Cliff and Sandra House, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 1304, regarding Dr. Robert H. Spence, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 1305, regarding Allan Raffay, Hawley, Pennsylvania, which was adopted.

## INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

**SB 855**—By Schaefer.

An Act to repeal section 321.200, RSMo, and to enact in lieu thereof one new section relating to fire protection district board meetings.

**SB 856**—By Emery.

An Act to amend chapter 161, RSMo, by adding thereto one new section relating to school accreditation.

**SJR 49**—By Cunningham.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 39(b) of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the state lottery.

Senator Pearce assumed the Chair.

President Pro Tem Dempsey assumed the Chair.

## SENATE BILLS FOR PERFECTION

Senator Kraus moved that **SB 509** and **SB 496**, with **SCS**, be called from the Informal Calendar and

taken up for perfection, which motion prevailed.

SCS for **SBs 509** and **496**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILLS NOS. 509 and 496

An Act to repeal sections 143.011, 143.021, and 143.151, RSMo, and to enact in lieu thereof four new sections relating to income taxes.

Was taken up.

Senator Kraus moved that **SCS** for **SBs 509** and **496** be adopted.

Senator Kehoe announced photographers from KRCG-TV and ABC 17 News were given permission to take pictures in the Senate Chamber.

Senator LeVota offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bills Nos. 509 and 496, Page 1, Section A, Line 3, by inserting after all of said line the following:

**“135.760. 1. This section shall be known and may be cited as the “Missouri Earned Income Tax Credit Act”.**

**2. For all taxable years beginning on or after January 1, 2014, a resident individual who is allowed a federal earned income tax credit under Section 32 of the Internal Revenue Code of 1986, as amended, shall be allowed a credit against the tax otherwise due under chapter 143, not including sections 143.191 to 143.265, in an amount equal to twenty percent of the allowable federal earned income tax credit. The tax credit allowed by this section shall be claimed by such individual at the time such individual files a return and shall be applied against the income tax liability imposed by chapter 143 after reduction for all other credits allowed thereon. For taxpayers whose filing status is married filing separately, such taxpayers may elect to apply the tax credit to the income tax liability of either taxpayer, or may elect to apply the tax credit evenly to the income tax liability of each spouse. Where the amount of the credit exceeds the tax liability, the difference shall be refunded to the taxpayer.**

**3. Notwithstanding the provision of subsection 4 of section 32.057, the department of revenue or any duly authorized employee or agent shall determine whether any taxpayer filing a report or return with the department of revenue who has not applied for the credit allowed under this section may qualify for the credit, and shall notify any qualified claimant of the claimant’s potential eligibility, where the department determines such potential eligibility exists. In making a determination of eligibility under this section, the department shall use any appropriate and available data, including but not limited to data available from the Internal Revenue Service, the U.S. Department of Treasury, and state income tax returns from previous tax years.**

**4. The department shall prepare an annual report containing statistical information regarding the tax credits issued under this section for the previous tax year, including the total amount of revenue expended on the earned income tax credit, the number of credits claimed, and the average value of**

the credits issued to taxpayers whose earned income falls within various income ranges determined by the department.

5. The department shall contract with one or more nonprofit groups to provide notice of the earned income tax credit to eligible taxpayers. The department shall require evidence of the effectiveness of the nonprofit group, the connection with the community in which the group operates, and the ability to contact taxpayers that are unlikely to claim the federal earned income tax credit, including but not limited to non-English speakers, elderly, tenants, and very low-income taxpayers who do not file tax returns annually. The department shall give preference to nonprofit groups with members in low- and moderate-income areas, nonprofit groups with at least fifty-one percent of the board of directors having low- to moderate-incomes and residents of target communities, and to nonprofit groups that have a record of effective door-to-door outreach for similar community projects.

6. The director of the department of revenue shall promulgate rules and regulations to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.

7. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted.

At the request of Senator Kraus, **SB 509** and **SB 496**, with **SCS** and **SA 1** (pending), were placed on the Informal Calendar.

On motion of Senator Kehoe, the Senate recessed until 6:30 p.m.

## RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

## RESOLUTIONS

Senator Sifton offered Senate Resolution No. 1306, regarding Joseph G. Lipic, Sr., Saint Louis, which



was adopted.

Senator Sifton offered Senate Resolution No. 1307, regarding Brian Lenhardt, Waterloo, Illinois, which was adopted.

Senator Brown offered Senate Resolution No. 1308, regarding Harry D. Foley, Licking, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1309, regarding Colby Dowell, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1310, regarding David Bippes, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1311, regarding Kara Berrey, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1312, regarding Morgan Bangert, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1313, regarding Rebecca Bade, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1314, regarding Samuel “Tre” Warfield, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1315, regarding Bridget Schumer, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1316, regarding Michaela Jane Ruth, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1317, regarding Ashley Hulet, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1318, regarding Angela Marulanda, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1319, regarding Jensen Mayes, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1320, regarding Anne Marie Anibal, which was adopted.

Senator Richard offered Senate Resolution No. 1321, regarding Cherith E. Parnell, Carthage, which was adopted.

### **SENATE BILLS FOR PERFECTION**

Senator Schaefer moved that **SB 498** be taken up for perfection, which motion prevailed.

Senator Schaefer offered **SS** for **SB 498**, entitled:

#### **SENATE SUBSTITUTE FOR SENATE BILL NO. 498**

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to health benefit exchange navigators.

Senator Schaefer moved that **SS** for **SB 498** be adopted.

Senator Schmitt assumed the Chair.

Senator Schaefer moved that **SS** for **SB 498** be adopted, which motion prevailed.

Senator Schaefer moved that **SS** for **SB 498** be declared perfected and ordered printed.

Senator Justus requested a roll call vote be taken on the perfection of **SS** for **SB 498** and was joined in her request by Senators Keaveny, LeVota, Sifton and Schaefer.

**SS** for **SB 498** was declared perfected and ordered printed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Silvey	Wasson—21			

NAYS—Senators

Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton—7
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Absent—Senators

Chappelle-Nadal	Nieves	Rupp	Wallingford	Walsh—5
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Absent with leave—Senators—None

Vacancies—1

Senator Parson moved that **SB 508** be taken up for perfection, which motion prevailed.

Senator Parson moved that **SB 508** be declared perfected and ordered printed.

Senator Sifton requested a roll call vote be taken on the perfection of **SB 508** and was joined in his request by Senators Nasheed, Justus, Curls and Keaveny.

**SB 508** was declared perfected and ordered printed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Lager
Lamping	Libla	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wasson—22		

NAYS—Senators

Curls	Holsman	Justus	Keaveny—4
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Absent—Senators

Kraus	LeVota	Nieves	Rupp	Sater	Wallingford	Walsh—7
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Absent with leave—Senators—None

Vacancies—1

Senator Cunningham moved that **SB 526**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 526**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 526

An Act to amend chapter 287, RSMo, by adding thereto one new section relating to a database for workers' compensation claims, with a penalty provision.

Was taken up.

Senator Cunningham moved that **SCS** for **SB 526** be adopted, which motion prevailed.

Senator Lager assumed the Chair.

On motion of Senator Cunningham, **SCS** for **SB 526** was declared perfected and ordered printed.

Senator Parson moved that **SB 610** be taken up for perfection, which motion prevailed.

On motion of Senator Parson, **SB 610** was declared perfected and ordered printed.

Senator Nasheed moved that **SB 532**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 532**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 532

An Act to repeal sections 431.058, 431.061, and 431.062, RSMo, and to enact in lieu thereof three new sections relating to medical and educational consent laws.

Was taken up.

Senator Nasheed moved that **SCS** for **SB 532** be adopted.

Senator Nasheed offered **SS** for **SCS** for **SB 532**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 532

An Act to repeal sections 431.058, 431.061, and 431.062, RSMo, and to enact in lieu thereof three new sections relating to consent provided by relative caregivers.

Senator Nasheed moved that **SS** for **SCS** for **SB 532** be adopted, which motion prevailed.

On motion of Senator Nasheed, **SCS** for **SB 532** was declared perfected and ordered printed.

**RESOLUTIONS**

Senator Parson moved that **SR 1168** be taken up for adoption, which motion prevailed.

On motion of Senator Parson, **SR 1168** was adopted.

**SENATE BILLS FOR PERFECTION**

Senator Nieves moved that **SB 613**, with **SCS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 2 was again taken up.

Senator Holsman offered SA 1 to SA 2, which was read:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Committee Substitute for Senate Bill No. 613, as it appears on Page 240 of the Senate Journal for Monday, February 10, 2014, Lines 22-27 of said journal page, by striking all of said lines.

Senator Holsman moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe assumed the Chair.

SA 2, as amended, was again taken up.

Senator Holsman moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 613, Page 11, Section 571.030, Line 73, by striking the words “or any” and inserting in lieu thereof a comma “,”; and further amend line 74, by inserting immediately after the word “attorney” as it appears the second time on said line, the following: “, or any person appointed by a court to be special prosecutor”; and

Further amend said bill, page 15, section 571.101, line 7, by striking the following: “date of issuance or renewal” and inserting in lieu thereof the following: “**last day of the month in which the permit was issued or renewed**”; and further amend lines 9-10, by striking the following: “date of issuance or renewal” and inserting in lieu thereof the following: “**last day of the month in which the endorsement was issued or renewed**”; and

Further amend said bill and section, page 19, line 164, by inserting immediately after “7” the following: “**of this section**”; and

Further amend said bill, page 27, section 571.107, line 177, by inserting after all of said line the following:

“571.111. 1. An applicant for a concealed carry permit shall demonstrate knowledge of firearms safety training. This requirement shall be fully satisfied if the applicant for a concealed carry permit:

(1) Submits a photocopy of a certificate of firearms safety training course completion, as defined in subsection 2 of this section, signed by a qualified firearms safety instructor as defined in subsection 5 of this section; or

(2) Submits a photocopy of a certificate that shows the applicant completed a firearms safety course given by or under the supervision of any state, county, municipal, or federal law enforcement agency; or

(3) Is a qualified firearms safety instructor as defined in subsection 5 of this section; or

(4) Submits proof that the applicant currently holds any type of valid peace officer license issued under the requirements of chapter 590; or

(5) Submits proof that the applicant is currently allowed to carry firearms in accordance with the certification requirements of section 217.710; or

(6) Submits proof that the applicant is currently certified as any class of corrections officer by the Missouri department of corrections and has passed at least one eight-hour firearms training course, approved by the director of the Missouri department of corrections under the authority granted to him or her, that includes instruction on the justifiable use of force as prescribed in chapter 563; or

(7) Submits a photocopy of a certificate of firearms safety training course completion that was issued on August 27, 2011, or earlier so long as the certificate met the requirements of subsection 2 of this section that were in effect on the date it was issued.

2. A certificate of firearms safety training course completion may be issued to any applicant by any qualified firearms safety instructor. On the certificate of course completion the qualified firearms safety instructor shall affirm that the individual receiving instruction has taken and passed a firearms safety course of at least eight hours in length taught by the instructor that included:

(1) Handgun safety in the classroom, at home, on the firing range and while carrying the firearm;

(2) A physical demonstration performed by the applicant that demonstrated his or her ability to safely load and unload a revolver and a semiautomatic pistol and demonstrated his or her marksmanship with both;

(3) The basic principles of marksmanship;

(4) Care and cleaning of concealable firearms;

(5) Safe storage of firearms at home;

(6) The requirements of this state for obtaining a concealed carry permit from the sheriff of the individual's county of residence;

(7) The laws relating to firearms as prescribed in this chapter;

(8) The laws relating to the justifiable use of force as prescribed in chapter 563;

(9) A live firing exercise of sufficient duration for each applicant to fire both a revolver and a semiautomatic pistol, from a standing position or its equivalent, a minimum of twenty rounds from each handgun at a distance of seven yards from a B-27 silhouette target or an equivalent target;

(10) A live fire test administered to the applicant while the instructor was present of twenty rounds from each handgun from a standing position or its equivalent at a distance from a B-27 silhouette target, or an equivalent target, of seven yards.

3. A qualified firearms safety instructor shall not give a grade of passing to an applicant for a concealed carry permit who:

(1) Does not follow the orders of the qualified firearms instructor or cognizant range officer; or

(2) Handles a firearm in a manner that, in the judgment of the qualified firearm safety instructor, poses a danger to the applicant or to others; or

(3) During the live fire testing portion of the course fails to hit the silhouette portion of the targets with at least fifteen rounds, with both handguns.

4. Qualified firearms safety instructors who provide firearms safety instruction to any person who applies for a concealed carry permit shall:

(1) Make the applicant's course records available upon request to the sheriff of the county in which the applicant resides;

(2) Maintain all course records on students for a period of no less than four years from course completion date; and

(3) Not have more than forty students **per certified instructor** in the classroom portion of the course or more than five students per range officer engaged in range firing.

5. A firearms safety instructor shall be considered to be a qualified firearms safety instructor by any sheriff issuing a concealed carry permit pursuant to sections 571.101 to 571.121 if the instructor:

(1) Is a valid firearms safety instructor certified by the National Rifle Association holding a rating as a personal protection instructor or pistol marksmanship instructor; or

(2) Submits a photocopy of a notarized certificate from a firearms safety instructor's course offered by a local, state, or federal governmental agency; or

(3) Submits a photocopy of a notarized certificate from a firearms safety instructor course approved by the department of public safety; or

(4) Has successfully completed a firearms safety instructor course given by or under the supervision of any state, county, municipal, or federal law enforcement agency; or

(5) Is a certified police officer firearms safety instructor.

6. Any firearms safety instructor qualified under subsection 5 of this section may submit a copy of a training instructor certificate, course outline bearing notarized signature of instructor, and recent photograph of his or herself to the sheriff of the county in which he or she resides. Each sheriff shall collect an annual registration fee of ten dollars from each qualified instructor who chooses to submit such information and shall retain a database of qualified instructors. This information shall be a closed record except for access by any sheriff.

7. Any firearms safety instructor who knowingly provides any sheriff with any false information concerning an applicant's performance on any portion of the required training and qualification shall be guilty of a class C misdemeanor. A violation of the provisions of this section shall result in the person being prohibited from instructing concealed carry permit classes and issuing certificates.”; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 4**:

#### SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bill No. 613, Page 9, Section 571.012, Line 15, by striking the words “an imminent” and inserting in lieu thereof the word “a”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Nasheed offered **SA 5**, which was read:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for Senate Bill No. 613, Page 32, Section 1, Line 6, by inserting immediately after said line the following:

**“Section 2. Upon becoming aware that a firearm has been stolen, a person shall have seventy-two hours to report such theft.**

Section B. If any provision of section A of this act or the application thereof to anyone or to any circumstances is held invalid, the remainder of those sections and the application of such provisions to others or other circumstances shall not be affected thereby.”; and

Further amend said bill and page, section B, line 1, by striking “B.” and inserting in lieu thereof the following: “C.”; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted.

Senator Sifton offered **SA 1 to SA 5**, which was read:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 5

Amend Senate Amendment No. 5 to Senate Committee Substitute for Senate Bill No. 613, Page 1, Lines 6-10, by striking all of said lines and inserting in lieu thereof the following:

“Section B. Notwithstanding the provisions of section 1.140, to the contrary, the provisions of this act except the provisions of section 2 shall be nonseverable, and if any provision is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of this act except for the provisions of section 2.”; and”.

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

**SA 5**, as amended, was again taken up.

Senator Nasheed moved that the above amendment be adopted, which motion prevailed.

Senator Sifton offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Committee Substitute for Senate Bill No. 613, Page 5, Section 1.320, Line 142, by inserting after all of said line the following:

**“9. Nothing contained in this section shall be construed to create any civil liability for, or prohibit any state or local law enforcement officer from, assisting in the federal enforcement or prosecution of violations of 18 U.S.C. Sections 922 and 924.”.**

Senator Sifton moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Sifton offered **SA 7**:

## SENATE AMENDMENT NO. 7

Amend Senate Committee Substitute for Senate Bill No. 613, Page 5, Section 1.320, Line 142, by inserting after all of said line the following:

**“9. Nothing contained in this section shall be construed to create any civil liability for, or prohibit any state or local law enforcement officer from, assisting in the federal enforcement or prosecution of violations of Title 18 of the United States Code, in effect on the effective date of this section, for violations involving firearms or ammunition.”.**

Senator Sifton moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Justus, Chappelle-Nadal, Holsman and Keaveny.

**SA 7** failed of adoption by the following vote:

## YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton
Walsh—9							

## NAYS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—22		

## Absent—Senators

Lamping	Rupp—2
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Absent with leave—Senators—None

Vacancies—None

Senator Nieves moved that **SCS** for **SB 613**, as amended, be adopted, which motion prevailed.

On motion of Senator Nieves, **SCS** for **SB 613**, as amended, was declared perfected and ordered printed.

President Pro Tem Dempsey assumed the Chair.

## REPORTS OF STANDING COMMITTEES

On behalf of Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, Senator Parson submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 537**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 694**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence,



submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 519**, begs leave to report that it has considered the same and recommends that the bill do pass.

## **COMMUNICATIONS**

President Pro Tem Dempsey submitted the following:

February 11, 2014

Terry Spieler  
Secretary of the Senate  
State Capitol Building  
Jefferson City, MO 65101

Dear Ms. Spieler,

I am appointing Senator Scott Sifton to the Joint Committee on Court Automation. If you have any questions, please do not hesitate to contact my office.

Sincerely,



Tom Dempsey  
President Pro Tem

Also,

February 11, 2014

Terry Spieler  
Secretary of the Senate  
State Capitol Building  
Jefferson City, MO 65101

Dear Ms. Spieler,

I am appointing Senator Scott Sifton to the Missouri Court Automation Committee. If you have any questions, please do not hesitate to contact my office.

Sincerely,



Tom Dempsey  
President Pro Tem

## **INTRODUCTIONS OF GUESTS**

Senator Pearce introduced to the Senate, Nora Faris, Hayden Moore, Hanna Janik, David Hemme, Jacob Krause, Tate Bittiker, Ellison Brunkhorst, Gloria Guier, Tiffany Elling, Danielle Krause, Zachary Toole, Brittany Tolia, Austin Beydler and Jordan Schlueter, representatives of Concordia High School Future Business Leaders.

Senator Pearce introduced to the Senate, Suzanne Smith and Gary Grote, representatives of Salt Fork

YMCA.

Senator Schaaf introduced to the Senate, Sheriff Mark Owen, Platte County; and Sheriff Paul Vescovo, Clay County.

Senator Wallingford introduced to the Senate, Ed Dust and Jon Douglass, Sikeston.

Senator Holsman introduced to the Senate, Dan Haake, Kansas City; and Ken Keller, Independence.

On behalf of Senators Parson, Sater, Cunningham, Romine, Libla, Justus, Lager, Pearce, Kehoe and himself, Senator Munzlinger introduced to the Senate, 2013-2014 State FFA Officers: Mitchell Blehm and Carlee Buckner, Walnut Grove; Jonathan Bellis, Aurora; Morgan Cody, Seymour; Grant Talburt, Sycamore; Jeremy Mathis, Potosi; Rylyn Small, East Prairie; Jaelyn Bergmann, Perry; Tanner Adkins, Elmo; Taylor Washburn, Eagleville; Miriam Martin, Bucklin; Tessa Chambers, Fayette; Mason Browning, Monroe City; Aybrea Mizer, Marshall; Alex Haun, Holden; Dan Haynes, Jefferson City; and Connor Scott, Miller.

Senator Pearce introduced to the Senate, Mayor Bill Kolas and his wife, Donna, Higginsville.

Senator Kehoe introduced to the Senate, Tom Kolb, Jefferson City.

On motion of Senator Richard, the Senate adjourned under the rules.

## SENATE CALENDAR

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TWENTIETH DAY—WEDNESDAY, FEBRUARY 12, 2014

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## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 757-Justus, et al

SB 758-Justus

SB 759-Sifton

SB 760-Chappelle-Nadal

SB 761-Wallingford

SB 762-Schaefer

SB 763-Schaefer

SB 764-Lager

SB 765-Chappelle-Nadal

SB 766-Keaveny

SB 767-Schmitt, et al

SB 768-Pearce

SB 769-Pearce

SB 770-Wallingford

SB 771-Sater

SB 772-Lamping

SB 773-Rupp

SB 774-Dempsey

SB 775-Walsh

SB 776-Nieves

SB 777-Nieves

SB 778-Nieves

SB 779-Munzlinger	SB 819-Wallingford
SB 780-LeVota	SB 820-Schaefer
SB 781-LeVota	SB 821-Schaefer
SB 782-Romine	SB 822-Parson
SB 783-Romine	SB 823-Dixon, et al
SB 784-Romine	SB 824-Dixon
SB 785-Kehoe	SB 825-Chappelle-Nadal
SB 786-Schmitt	SB 826-Brown
SB 787-Justus	SB 827-Keaveny
SB 788-Brown	SB 828-Schaaf
SB 789-Dixon	SB 829-Kraus
SB 790-Dixon	SB 830-Parson
SB 791-Parson and Schaaf	SB 831-Wallingford
SB 792-Parson	SB 832-Walsh
SB 793-Dixon	SB 833-Walsh
SB 794-Chappelle-Nadal	SB 834-Walsh
SB 795-Lager	SB 835-Munzlinger
SB 796-Parson	SB 836-Munzlinger
SB 797-Nieves	SB 837-Sifton
SB 798-Emery	SB 838-Emery
SB 799-Emery	SB 839-Sater
SB 800-Romine	SB 840-Pearce
SB 801-Holsman	SB 841-Wasson
SB 802-Dixon	SB 842-Parson
SB 803-Justus	SB 843-Schaefer
SB 804-Schaaf	SB 844-Dixon
SB 805-Justus	SB 845-Chappelle-Nadal
SB 806-LeVota	SB 846-Richard
SB 807-LeVota and Curls	SB 847-Schaaf
SB 808-Wasson	SB 848-LeVota
SB 809-Wasson	SB 849-Walsh
SB 810-Holsman	SB 850-Munzlinger
SB 811-Schaaf	SB 851-Munzlinger
SB 812-Parson	SB 852-Schmitt
SB 813-LeVota	SB 853-Wasson
SB 814-Brown	SB 854-Wasson
SB 815-Pearce	SB 855-Schaefer
SB 816-Sater	SB 856-Emery
SB 817-Sifton	SJR 49-Cunningham
SB 818-Kehoe	

## SENATE BILLS FOR PERFECTION

SB 537-Rupp  
SB 694-Cunningham

SB 519-Sater

## HOUSE BILLS ON THIRD READING

HB 1125-Dugger, et al (Kraus)

## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

SB 492-Pearce, with SCS (pending)  
SBs 509 & 496-Kraus, with SCS & SA 1  
(pending)

SB 518-Sater, with SCS, SA 2 & SA 1 to  
SA 2 (pending)  
SB 530-Libla, with SCS (pending)

## CONSENT CALENDAR

Senate Bills

Reported 2/6

SB 605-Dixon

SB 528-Wallingford

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# Journal of the Senate

## SECOND REGULAR SESSION

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**TWENTIETH DAY—WEDNESDAY, FEBRUARY 12, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Devote yourselves in prayer, being vigilant in it with thanksgiving.” (Colossians 4:2)

We know, O Lord, that prayer is not just an activity for You but more an awareness of You, Our God, in all that we do. Help us seek to live in uninterrupted awareness of You in our lives in everything we do and everywhere we go, giving You thanks and praise. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Lager offered Senate Resolution No. 1322, regarding Elizabeth Miller, Princeton, which was adopted.

Senator Lager offered Senate Resolution No. 1323, regarding Lukas Erickson, Maryville, which was adopted.

Senator Lager offered Senate Resolution No. 1324, regarding Joshua Schoonover, Princeton, which was adopted.

Senator Parson offered Senate Resolution No. 1325, regarding Casey Pemberton, Sedalia, which was adopted.

Senator Lager offered Senate Resolution No. 1326, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Donald Newcomer, Guilford, which was adopted.

Senator Nieves offered Senate Resolution No. 1327, regarding the death of Charles W. Foley, Affton, which was adopted.

Senator Nieves offered Senate Resolution No. 1328, regarding Sarah Fallon, Ellisville, which was adopted.

Senator Schaaf offered Senate Resolution No. 1329, regarding Andrew Wolf, St. Joseph, which was adopted.

Senator Justus offered Senate Resolution No. 1330, regarding Tom Duff, Warrenton, which was adopted.

Senator Holsman offered Senate Resolution No. 1331, regarding Caroline Rock, which was adopted.

## INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

**SB 857**—By Holsman.

An Act to amend chapter 393, RSMo, by adding thereto one new section relating to solar rebates.

**SB 858**—By Kraus.

An Act to repeal sections 143.011, 143.021, and 143.151, RSMo, and to enact in lieu thereof four new sections relating to income taxes, with a referendum clause.

**SB 859**—By Brown.

An Act to repeal section 340.396, RSMo, and to enact in lieu thereof one new section relating to the large animal veterinary student loan program.

**SB 860**—By Cunningham.

An Act to repeal section 144.044, RSMo, and to enact in lieu thereof one new section relating to the sales of used manufactured homes.

**SB 861**—By Schaefer.

An Act to repeal section 407.560, RSMo, and to enact in lieu thereof one new section relating to new

motorcycle express warranties.

Senator Kehoe assumed the Chair.

Senator Richard announced photographers KOMU-TV were given permission to take pictures in the Senate Chamber.

**SB 862**—By Lager.

An Act to repeal sections 393.1000 and 393.1003, RSMo, and to enact in lieu thereof two new sections relating to infrastructure system replacement surcharges.

### HOUSE BILLS ON THIRD READING

**HB 1125**, introduced by Representative Dugger, et al, entitled:

An Act to repeal sections 115.124 and 115.395, RSMo, and to enact in lieu thereof two new sections relating to elections, with an emergency clause.

Was taken up by Senator Kraus.

On motion of Senator Kraus, **HB 1125** was read the 3rd time and finally passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Rupp moved that motion lay on the table, which motion prevailed.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS for SB 526; SB 610; SS for SCS for SB 532; SB 508; and SS for SB 498**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### **COMMUNICATIONS**

President Pro Tem Dempsey submitted the following:

February 12, 2014

Senator Mike Parson, Chairman  
Government Accountability and Fiscal Oversight Committee  
State Capitol, Room 420  
Jefferson City, MO 65101

Dear Senator Parson:

Pursuant to Senate Rule 28, Section 8, I request that your Committee hold public hearings on the dyed diesel fuel enforcement program, which is under the purview of the Missouri Department of Revenue.

Specifically, I would like the Committee to gather information on the enforcement procedures used and also investigate how the Federal grant money is being spent.

Sincerely,



Tom Dempsey

### **INTRODUCTIONS OF GUESTS**

On behalf of Senator Lager and himself, Senator Pearce introduced to the Senate, Directors Julie Akers, Byekwaso Gilbert, Rusty Sproat and Chris Lake; and students Colton Davidson, Holden; Mataya Lowry, Zoe Reed and Calvin Adams, Warrensburg; Jordan Martin, Centerview; Quintin Edwards and Korey Dennis, Excelsior Springs; and Mackenzie Fabela, Oak Grove, representatives of Warrensburg Area Career Center, Excelsior Springs Area Career Center and Career and Technology Center at Fort Osage.

Senator Lager introduced to the Senate, Head Coach Adam Dorrel, Northwest Missouri State University; and Head Coach Matt Webb, Maryville High School.



Senator Kehoe introduced to the Senate, Advisors Willard and Jerri Haley and Matt Biddle; and students from Eldon Career Center.

Senator Kehoe introduced to the Senate, Advisor Travis Plume, and students Sara Carroll, Sharon Andrade, Skyler Massey, Megan Graessle, Victoria Forck and Mikayla Morris, Nichols Career Center, Jefferson City.

Senator Kehoe introduced to the Senate, John Wolken, California.

Senator Wallingford introduced to the Senate, City Administrator Brent Buerck, Perryville.

Senator Curls introduced to the Senate, Jacquin Youngblood, Kansas City.

Senator Holsman introduced to the Senate, John Maloney and Jim Crain, Grandview.

Senator Emery introduced to the Senate, Scott Nolting, Steve Shields, Traci Pattison, and students Kasen Hull, Tony Morgan, Anna Andrews, Johnna Cato-Schwan, Jimmy Keutzer, Jacob Rice and Gabriel Grijalva, Lamar Career and Technical Center.

Senator Emery introduced to the Senate, Brian Gillis, Robert Wills, Hagen Fischer, Jackson Ogburn, Samuel Laughlin, Marriah Seider, Cheyenne Champlin, Gavin Steuck and Alex Wills, advisors and students representing Rich Hill FFA.

Senator Munzlinger introduced to the Senate, representatives of Northeast Missouri Development Partnership.

Senator Justus introduced to the Senate, FFA Advisor Stephanie Juengling, and students Brett Williams, Emma Todd, Lindsey Hannekin, Jenna Riegel, Brent Shocklee, Joe Thatcher, Todd Kleekamp, Tyler Pruessner and Drake Gleeson, representatives of Four Rivers Career Center.

Senator Kraus introduced to the Senate, former State Senator Jerry Winship, Lee's Summit.

Senator Schmitt introduced to the Senate, Paul Ward, Iggy Yuan and Nancy Luetzow, Kirkwood.

Senator Parson introduced to the Senate, teacher Stacie Vestol, Director Keith Davis and thirteen students, Lebanon Technology and Career Center.

On behalf of Senators Schaefer, Parson and himself, Senator Pearce introduced to the Senate, Linda Hoffman, Sedalia; Kim Parrott, Knob Noster; and Sherry Powell, Ashland.

Senator Schaefer introduced to the Senate, the Physician of the Day, Jerry Blair, M.D., Columbia.

Senator Justus introduced to the Senate, Director Randy Kosark, Four Rivers Career Center.

On motion of Senator Richard, the Senate adjourned under the rules.

## SENATE CALENDAR

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TWENTY-FIRST DAY—THURSDAY, FEBRUARY 13, 2014

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## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 757-Justus, et al

SB 758-Justus

SB 759-Sifton

SB 760-Chappelle-Nadal

SB 761-Wallingford	SB 801-Holsman
SB 762-Schaefer	SB 802-Dixon
SB 763-Schaefer	SB 803-Justus
SB 764-Lager	SB 804-Schaaf
SB 765-Chappelle-Nadal	SB 805-Justus
SB 766-Keaveny	SB 806-LeVota
SB 767-Schmitt, et al	SB 807-LeVota and Curls
SB 768-Pearce	SB 808-Wasson
SB 769-Pearce	SB 809-Wasson
SB 770-Wallingford	SB 810-Holsman
SB 771-Sater	SB 811-Schaaf
SB 772-Lamping	SB 812-Parson
SB 773-Rupp	SB 813-LeVota
SB 774-Dempsey	SB 814-Brown
SB 775-Walsh	SB 815-Pearce
SB 776-Nieves	SB 816-Sater
SB 777-Nieves	SB 817-Sifton
SB 778-Nieves	SB 818-Kehoe
SB 779-Munzlinger	SB 819-Wallingford
SB 780-LeVota	SB 820-Schaefer
SB 781-LeVota	SB 821-Schaefer
SB 782-Romine	SB 822-Parson
SB 783-Romine	SB 823-Dixon, et al
SB 784-Romine	SB 824-Dixon
SB 785-Kehoe	SB 825-Chappelle-Nadal
SB 786-Schmitt	SB 826-Brown
SB 787-Justus	SB 827-Keaveny
SB 788-Brown	SB 828-Schaaf
SB 789-Dixon	SB 829-Kraus
SB 790-Dixon	SB 830-Parson
SB 791-Parson and Schaaf	SB 831-Wallingford
SB 792-Parson	SB 832-Walsh
SB 793-Dixon	SB 833-Walsh
SB 794-Chappelle-Nadal	SB 834-Walsh
SB 795-Lager	SB 835-Munzlinger
SB 796-Parson	SB 836-Munzlinger
SB 797-Nieves	SB 837-Sifton
SB 798-Emery	SB 838-Emery
SB 799-Emery	SB 839-Sater
SB 800-Romine	SB 840-Pearce

SB 841-Wasson	SB 853-Wasson
SB 842-Parson	SB 854-Wasson
SB 843-Schaefer	SB 855-Schaefer
SB 844-Dixon	SB 856-Emery
SB 845-Chappelle-Nadal	SB 857-Holsman
SB 846-Richard	SB 858-Kraus
SB 847-Schaaf	SB 859-Brown
SB 848-LeVota	SB 860-Cunningham
SB 849-Walsh	SB 861-Schaefer
SB 850-Munzlinger	SB 862-Lager
SB 851-Munzlinger	SJR 49-Cunningham
SB 852-Schmitt	

### THIRD READING OF SENATE BILLS

SCS for SB 526-Cunningham	SB 508-Parson
SB 610-Rupp and Parson	SS for SB 498-Schaefer
SS for SCS for SB 532-Nasheed	

### SENATE BILLS FOR PERFECTION

SB 537-Rupp	SB 519-Sater
SB 694-Cunningham	

### INFORMAL CALENDAR

### SENATE BILLS FOR PERFECTION

SB 492-Pearce, with SCS (pending)	SB 518-Sater, with SCS, SA 2 & SA 1 to
SBs 509 & 496-Kraus, with SCS & SA 1	SA 2 (pending)
(pending)	SB 530-Libla, with SCS (pending)

### CONSENT CALENDAR

Senate Bills

Reported 2/6

SB 605-Dixon	SB 528-Wallingford
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# Journal of the Senate

## SECOND REGULAR SESSION

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**TWENTY-FIRST DAY—THURSDAY, FEBRUARY 13, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“And now faith, hope, and love abides, these three; and the greatest of these is love.” (I Corinthians 13:13)

Lord of Love, we finish our work here this day, leaving as senators, shifting gears to be men and women returning to those we love. Help us to prepare for the day of love, Valentine’s Day; so we take seriously the day showing our loved ones and families a very special gift of love with great appreciation for their support while we are here. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV and Gasconade County Republican were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Silvey offered Senate Resolution No. 1332, regarding Allison P. Schowengerdt, Liberty, which was adopted.

Senator Silvey offered Senate Resolution No. 1333, regarding Jennifer Myers, Liberty, which was adopted.

Senator Silvey offered Senate Resolution No. 1334, regarding Julie Youngers, Kansas City, which was adopted.

Senator Romine offered Senate Resolution No. 1335, regarding Sharon Wallace, Farmington, which was adopted.

Senator Schaefer offered Senate Resolution No. 1336, regarding Ilinca Popescu, Columbia, which was adopted.

Senator Schaaf offered Senate Resolution No. 1337, regarding Marisa J.W. Garitz, Kansas City, which was adopted.

Senator Schaaf offered Senate Resolution No. 1338, regarding Hayley Werth, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 1339, regarding Erica Guzman, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 1340, regarding Jennifer Thurlow, Kansas City, which was adopted.

Senator Schaaf offered Senate Resolution No. 1341, regarding Lisa Thurlow, Kansas City, which was adopted.

Senator Schaaf offered Senate Resolution No. 1342, regarding Lauren Bauer, Parkville, which was adopted.

Senator Sater offered Senate Resolution No. 1343, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. George W. Derr, Reeds Spring, which was adopted.

Senator Sater offered Senate Resolution No. 1344, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Harold Myers, Kimberling City, which was adopted.

Senator Wallingford offered Senate Resolution No. 1345, regarding Rollet Brothers Trucking, which was adopted.

Senator Emery offered Senate Resolution No. 1346, regarding Katlyn Lukenbill, Belton, which was adopted.

Senator Emery offered Senate Resolution No. 1347, regarding Abbigail Zink, which was adopted.

Senator Emery offered Senate Resolution No. 1348, regarding Stephanie White, which was adopted.

Senator Silvey offered Senate Resolution No. 1349, regarding Kourtney Cooper, Gladstone, which was adopted.

Senator Silvey offered Senate Resolution No. 1350, regarding Raven Ciara New, Gladstone, which was adopted.

Senator Silvey offered Senate Resolution No. 1351, regarding Megan Willis, Gladstone, which was adopted.

Senator Silvey offered Senate Resolution No. 1352, regarding Shelby Rebekah Sloan, Gladstone, which was adopted.

Senator Silvey offered Senate Resolution No. 1353, regarding Ashley Van Black, which was adopted.

Senator Wallingford offered Senate Resolution No. 1354, regarding Hull Trucking, Incorporated, Old Appleton, which was adopted.

Senator Schaaf offered Senate Resolution No. 1355, regarding Samuel Cierpiot, which was adopted.

Senator Schaaf offered Senate Resolution No. 1356, regarding Matthew Cierpiot, which was adopted.

Senator Pearce offered Senate Resolution No. 1357, regarding Hannah Scott, Odessa, which was adopted.

### **CONCURRENT RESOLUTIONS**

Senator Schaaf offered the following concurrent resolution:

#### **SENATE CONCURRENT RESOLUTION NO. 32**

WHEREAS, the members of the Missouri Senate are fully cognizant of the many facets and aspects relating to public health; and

WHEREAS, stroke is a prevalent cardiovascular disease that imposes a tremendous cost to victims and their families, the health care system, and society at large; and

WHEREAS, stroke is the fourth leading cause of death as well as a leading cause of long-term disability in the United States, killing more than 134,000 people nationwide and more than 3,200 people in Missouri each year; and

WHEREAS, in 2010, the total cost of cardiovascular diseases in the United States was estimated to be \$444 billion, with treatment of these diseases accounting for about \$1 of every \$6 spent on health care in this country; and

WHEREAS, as the American population ages, it is likely that the economic impact of cardiovascular diseases on our nation's health care system will become even greater; and

WHEREAS, Americans are more aware of the risk factors and warning signs for stroke than in the past, but one-third of adults cannot identify any symptoms; and

WHEREAS, there are two types of atrial fibrillation (irregular heartbeat), "non-valvular atrial fibrillation" and "valvular atrial fibrillation"; and

WHEREAS, non-valvular atrial fibrillation accounts for approximately 95% of all atrial fibrillation, and it is estimated to affect 5.8 million people in the United States, who have five times greater risk of stroke; and

WHEREAS, non-valvular atrial fibrillation alone is estimated to cost \$6.65 billion per year, with nearly 75% of the costs directly and indirectly associated with hospitalization; and

WHEREAS, while new and effective treatments have developed to treat and minimize the severity and damaging effects of strokes, much more research is needed; and

WHEREAS, May is recognized nationwide as Stroke Awareness Month:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby join with national state stroke awareness and prevention organizations in encouraging all Missouri citizens to engage in appropriate programs, activities, and events in observance of Stroke Awareness Month; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send a properly inscribed copy of this resolution to the Department of Health and Senior Services.

### INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

**SB 863**—By Emery.

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to immunity from civil suits for sheriffs.

**SB 864**—By Schaaf.

An Act to repeal section 192.667, RSMo, and to enact in lieu thereof one new section relating to health care facility data requirements, with an existing penalty provision.

**SB 865**—By Nieves.

An Act to amend chapter 273, RSMo, by adding thereto one new section relating to dogs.

**SB 866**—By Wasson.

An Act to amend chapter 408, RSMo, by adding thereto one new section relating to installment loan lenders.

**SB 867**—By Wasson.

An Act to repeal sections 407.826 and 407.828, RSMo, and to enact in lieu thereof two new sections relating to motor vehicle franchise practices.

**SB 868**—By Sater.

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to emergency administration of epinephrine by auto-injector.

**SB 869**—By Schmitt.

An Act to repeal sections 453.073 and 453.074, RSMo, and to enact in lieu thereof two new sections relating to adoption subsidies.

**SB 870**—By Holsman.

An Act to repeal section 137.106, RSMo, and to enact in lieu thereof one new section relating to the Missouri homestead preservation act.

**SB 871**—By Holsman.

An Act to repeal section 386.890, RSMo, and to enact in lieu thereof one new section relating to net excess energy.

**SB 872**—By Wallingford and Justus.

An Act to repeal sections 190.300, 190.308, 190.400, 190.410, 190.420, 650.320, 650.325, 650.330, and 650.340, RSMo, and to enact in lieu thereof ten new sections relating to emergency communications service, with penalty provisions.

### THIRD READING OF SENATE BILLS

**SCS** for **SB 526**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 526

An Act to amend chapter 287, RSMo, by adding thereto one new section relating to a database for workers' compensation claims, with a penalty provision.

Was taken up by Senator Cunningham.

Senator Lager assumed the Chair.

On motion of Senator Cunningham, **SCS** for **SB 526** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson	Pearce
Richard	Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey
Wallingford	Wasson—26						

#### NAYS—Senators

Curls	Holsman	Justus	Keaveny	LeVota	Sifton	Walsh—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 610**, introduced by Senators Rupp and Parson, entitled:

An Act to repeal section 407.725, RSMo, and to enact in lieu thereof one new section relating to commercial exterior contractors.

Was taken up.

On motion of Senator Rupp, **SB 610** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp



Sater                      Schaaf                      Schaefer                      Schmitt                      Sifton                      Silvey                      Wallingford                      Walsh  
 Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS** for **SCS** for **SB 532**, introduced by Senator Nasheed, entitled:

SENATE SUBSTITUTE FOR  
 SENATE COMMITTEE SUBSTITUTE FOR  
 SENATE BILL NO. 532

An Act to repeal sections 431.058, 431.061, and 431.062, RSMo, and to enact in lieu thereof three new sections relating to consent provided by relative caregivers.

Was taken up.

On motion of Senator Nasheed, **SS** for **SCS** for **SB 532** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Nasheed, title to the bill was agreed to.

Senator Nasheed moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 508**, introduced by Senator Parson, entitled:

An Act to repeal section 376.2004, RSMo, and to enact in lieu thereof one new section relating to health exchange navigator licensing, with a penalty provision.

Was taken up.

On motion of Senator Parson, **SB 508** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson	Pearce
Richard	Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey
Wallingford	Wasson—26						

NAYS—Senators

Curls	Holsman	Justus	Keaveny	LeVota	Sifton	Walsh—7	
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Rupp moved that motion lay on the table, which motion prevailed.

**SS for SB 498**, introduced by Senator Schaefer, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 498

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to health benefit exchange navigators.

Was taken up.

On motion of Senator Schaefer, **SS for SB 498** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—24

## NAYS—Senators

Chappelle-Nadal Curls  
Walsh—9

Holsman

Justus

Keaveny

LeVota

Nasheed

Sifton

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 605**, introduced by Senator Dixon, entitled:

An Act to repeal sections 30.750, 173.003, 173.051, 173.236, 173.239, 173.254, 173.260, 173.262, 173.778, and 174.770, RSMo, and to enact in lieu thereof ten new sections relating to references to higher education statutes that were previously repealed.

Was called from the Consent Calendar and taken up.

On motion of Senator Dixon, **SB 605** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 528**, introduced by Senator Wallingford, entitled:

An Act to repeal section 324.024, RSMo, and to enact in lieu thereof one new section relating to professional applications containing Social Security numbers.

Was called from the Consent Calendar and taken up.

On motion of Senator Wallingford, **SB 528** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### REPORTS OF STANDING COMMITTEES

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 663**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 668**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 609**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 664**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 529**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 690**, begs leave to report that it has considered the same and recommends that the bill do pass and placed on the Consent Calendar.

Senator Nieves, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **SB 527**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SJR 36**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 491**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 614**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 615**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 621**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 520**, begs leave to report that it has considered the same and recommends that the Senate

Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 643**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 674**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 543**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 567**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 613**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Richard requested unanimous consent of the Senate to suspend Senate Rule No. 49 for the purpose of printing **SCS** for **SB 491**, which request was granted.

## **SECOND READING OF SENATE BILLS**

The following Bills were read the 2nd time and referred to the Committees indicated:

**SB 757**—Judiciary and Civil and Criminal Jurisprudence.

**SB 758**—Judiciary and Civil and Criminal Jurisprudence.

**SB 759**—Seniors, Families and Pensions.

**SB 760**—Progress and Development.

**SB 761**—Small Business, Insurance and Industry.

**SB 762**—Transportation and Infrastructure.

**SB 763**—Jobs, Economic Development and Local Government.

**SB 764**—Jobs, Economic Development and Local Government.

**SB 765**—Education.

**SB 766**—Financial and Governmental Organizations and Elections.

**SB 767**—Jobs, Economic Development and Local Government.

**SB 768**—Ways and Means.

**SB 769**—Small Business, Insurance and Industry.

**SB 770**—Judiciary and Civil and Criminal Jurisprudence.

**SB 771**—Judiciary and Civil and Criminal Jurisprudence.

**SB 772**—Ways and Means.

**SB 773**—Jobs, Economic Development and Local Government.

**SB 774**—Jobs, Economic Development and Local Government.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 18**.

#### HOUSE CONCURRENT RESOLUTION NO. 18

WHEREAS, liquefied petroleum gas, or propane, is a vital source of energy for many citizens in the state of Missouri; and

WHEREAS, propane is commonly used for heating homes, cooking, refrigeration, and transportation; and

WHEREAS, citizens in the state of Missouri are dependent on propane as an energy source, especially during the winter season; and

WHEREAS, the 1,900 mile, 70,000 barrels of propane per day Cochin pipeline from Alberta, Canada was closed for a large portion of December; and

WHEREAS, 189,000 barrels of propane per day were exported from the United States in October 2012, while 408,000 barrels of propane per day were exported in October 2013; and

WHEREAS, current inventories of propane can supply only 24 days of consumer demand, compared with 42 days a year ago; and

WHEREAS, there are two primary storage facilities for supplying propane to the Midwest located respectively in Mont Belvieu, Texas and Conway, Kansas; and

WHEREAS, while Mont Belvieu, Texas, is home to the largest storage facility for propane, Conway, Kansas, is also a pricing hub; and

WHEREAS, propane located at the storage facility in Conway, Kansas traded as high as \$2.15 per gallon in the third week of January 2014, while propane located at the storage facility in Mont Belvieu, Texas traded at \$1.48 per gallon; and

WHEREAS, a gallon of residential propane in the Midwest cost \$2.433 during the third week of January 2014, while costing \$1.715 a year earlier; and

WHEREAS, the closure of the Cochin pipeline, the increased amount of exports, the drastic increase in price, and the difference in price among propane storage facilities has resulted in the inaccessibility of propane to the citizens of Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urge the United States Department of Justice to investigate the price increase of propane, the price disparity of propane among storage facilities, and the supply shortage of propane available to consumers; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed

copy of this resolution for the Attorney General of the United States, each member of the Missouri Congressional delegation, and Governor Jay Nixon.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1430**, entitled:

An Act to amend chapter 191, RSMo, by adding thereto seven new sections relating to the conscience rights of all individuals who provide medical services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Wicky Sleight, Marshall.

Senator Brown introduced to the Senate, Larry Stratman and Gary Hicks, Phelps County Commissioners.

On behalf of Senator Kraus and himself, Senator LeVota introduced to the Senate, former State Representative Connie Cierpiot, Lee's Summit; her son, Patrick, and his children, Louis and Ellie, Independence; and Louis and Ellie were made honorary pages.

Senator Lamping introduced to the Senate, the Physician of the Day, Robb Hicks, M.D., St. Louis.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, February 17, 2014.

### SENATE CALENDAR

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TWENTY-SECOND DAY—MONDAY, FEBRUARY 17, 2014

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### FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 775-Walsh  
SB 776-Nieves  
SB 777-Nieves  
SB 778-Nieves  
SB 779-Munzlinger

SB 780-LeVota  
SB 781-LeVota  
SB 782-Romine  
SB 783-Romine  
SB 784-Romine



SB 785-Kehoe	SB 826-Brown
SB 786-Schmitt	SB 827-Keaveny
SB 787-Justus	SB 828-Schaaf
SB 788-Brown	SB 829-Kraus
SB 789-Dixon	SB 830-Parson
SB 790-Dixon	SB 831-Wallingford
SB 791-Parson and Schaaf	SB 832-Walsh
SB 792-Parson	SB 833-Walsh
SB 793-Dixon	SB 834-Walsh
SB 794-Chappelle-Nadal	SB 835-Munzlinger
SB 795-Lager	SB 836-Munzlinger
SB 796-Parson	SB 837-Sifton
SB 797-Nieves	SB 838-Emery
SB 798-Emery	SB 839-Sater
SB 799-Emery	SB 840-Pearce
SB 800-Romine	SB 841-Wasson
SB 801-Holsman	SB 842-Parson
SB 802-Dixon	SB 843-Schaefer
SB 803-Justus	SB 844-Dixon
SB 804-Schaaf	SB 845-Chappelle-Nadal
SB 805-Justus	SB 846-Richard
SB 806-LeVota	SB 847-Schaaf
SB 807-LeVota and Curls	SB 848-LeVota
SB 808-Wasson	SB 849-Walsh
SB 809-Wasson	SB 850-Munzlinger
SB 810-Holsman	SB 851-Munzlinger
SB 811-Schaaf	SB 852-Schmitt
SB 812-Parson	SB 853-Wasson
SB 813-LeVota	SB 854-Wasson
SB 814-Brown	SB 855-Schaefer
SB 815-Pearce	SB 856-Emery
SB 816-Sater	SB 857-Holsman
SB 817-Sifton	SB 858-Kraus
SB 818-Kehoe	SB 859-Brown
SB 819-Wallingford	SB 860-Cunningham
SB 820-Schaefer	SB 861-Schaefer
SB 821-Schaefer	SB 862-Lager
SB 822-Parson	SB 863-Emery
SB 823-Dixon, et al	SB 864-Schaaf
SB 824-Dixon	SB 865-Nieves
SB 825-Chappelle-Nadal	SB 866-Wasson

SB 867-Wasson  
SB 868-Sater  
SB 869-Schmitt  
SB 870-Holsman

SB 871-Holsman  
SB 872-Wallingford and Justus  
SJR 49-Cunningham

#### HOUSE BILLS ON SECOND READING

HB 1430-Jones (110), et al

#### THIRD READING OF SENATE BILLS

SCS for SB 613-Nieves, et al

#### SENATE BILLS FOR PERFECTION

- |                                |  |
|--------------------------------|--|
| 1. SB 537-Rupp                 | 7. SB 664-Brown, with SCS                |
| 2. SB 694-Cunningham           | 8. SB 529-Wallingford, with SCS          |
| 3. SB 519-Sater                | 9. SJR 36-Schaefer and Richard, with SCS |
| 4. SB 663-Munzlinger, with SCS | 10. SB 491-Justus and Dixon, with SCS    |
| 5. SB 668-Silvey               | 11. SB 543-Munzlinger                    |
| 6. SB 609-Rupp                 | 12. SB 567-Chappelle-Nadal, with SCS     |

#### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

SB 492-Pearce, with SCS (pending)	SB 518-Sater, with SCS, SA 2 & SA 1 to
SBs 509 & 496-Kraus, with SCS & SA 1	SA 2 (pending)
(pending)	SB 530-Libla, with SCS (pending)

#### CONSENT CALENDAR

Senate Bills

Reported 2/13

SB 690-Wasson  
SB 527-Wallingford  
SB 614-Dixon

SB 615-Dixon  
SB 621-Dixon  
SB 520-Sater, with SCS

SB 643-Rupp, with SCS

SB 674-Kehoe

RESOLUTIONS

To be Referred

SCR 32-Schaaf

HCR 18-Houghton, et al

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# Journal of the Senate

## SECOND REGULAR SESSION

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**TWENTY-SECOND DAY—MONDAY, FEBRUARY 17, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Justice has nothing to do with expediency.” (Woodrow Wilson, 1916)

O Lord, Your Word is the basis of our system of justice and foundation for our ethics by which we live and work. You, O God, give us hope for the future and a great way to live here and now. May we always recognize Your greatness and the great things You do for us and pursue to live lives that reflect these things that are so important to us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 13, 2014 was read and approved.

The following Senators were present during the day’s proceedings:

**Present—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

**Absent—Senators—None**

**Absent with leave—Senator Rupp—1**

**Vacancies—1**

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Holsman offered Senate Resolution No. 1358, regarding Alexis Jenkin, Kansas City, which was adopted.

Senator Cunningham offered Senate Resolution No. 1359, regarding Dr. Gene Leroux, which was adopted.

Senator Kehoe offered Senate Resolution No. 1360, regarding Twehous Excavating, Jefferson City, which was adopted.

Senator Brown offered Senate Resolution No. 1361, regarding Dent County Extension Council, Salem, which was adopted.

Senator Brown offered Senate Resolution No. 1362, regarding Walmart Transportation, Saint James, which was adopted.

Senator Kehoe offered Senate Resolution No. 1363, regarding Allan Morris Burger, California, which was adopted.

Senator Richard offered Senate Resolution No. 1364, regarding D & D Sexton, Carthage, which was adopted.

Senator Richard offered Senate Resolution No. 1365, regarding D & D Sexton, Carthage, which was adopted.

Senator Schaaf offered Senate Resolution No. 1366, regarding Alexander M. Forbes, which was adopted.

Senator Schaaf offered Senate Resolution No. 1367, regarding William Aloysius Ryan IV, which was adopted.

Senator Schaaf offered Senate Resolution No. 1368, regarding Jacob Lee, which was adopted.

Senator Schaaf offered Senate Resolution No. 1369, regarding Alexander M. Moyer, which was adopted.

Senator Schaaf offered Senate Resolution No. 1370, regarding Joshua Davis McPherson, which was adopted.

Senator Kraus offered Senate Resolution No. 1371, regarding Chandler Kent Tennyson, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 1372, regarding Caitlin Gray, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 1373, regarding Megan E. Hansen, Lee's Summit, which was adopted.

Senator Wallingford offered Senate Resolution No. 1374, regarding Corporal Ike Hammonds, Cape Girardeau, which was adopted.

Senator Cunningham offered Senate Resolution No. 1375, regarding Taylor Smith, West Plains, which was adopted.

Senator Nieves offered Senate Resolution No. 1376, regarding Claire Ellen Schulte, Wildwood, which was adopted.

Senator Pearce offered Senate Resolution No. 1377, regarding Elizabeth Rounkles, which was adopted.

Senator Pearce offered Senate Resolution No. 1378, regarding Cyrsten A. Lollar, which was adopted.

Senator Brown offered Senate Resolution No. 1379, regarding Dan L. Birdsong, Rolla, which was adopted.

Senator LeVota offered Senate Resolution No. 1380, regarding E&K Retail, Kansas City, which was adopted.

### **INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 873**—By Brown.

An Act to repeal sections 210.117, 210.482, 210.487, and 211.038, RSMo, and to enact in lieu thereof four new sections relating to background checks for the purposes of child placement.

**SB 874**—By Wasson.

An Act to repeal sections 354.465, 375.1250, 375.1252, 375.1255, 375.1257, 375.1260, 375.1262, 375.1265, 375.1267, 375.1269, 375.1270, 375.1272, and 375.1275, RSMo, and to enact in lieu thereof thirteen new sections relating to life and health insurance risk based capital.

**SB 875**—By Sater.

An Act to repeal section 208.080, RSMo, and to enact in lieu thereof one new section relating to public assistance administrative appeals.

**SB 876**—By LeVota.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of the Len Dawson bridge.

**SB 877**—By Kraus.

An Act to repeal sections 288.030 and 288.050, RSMo, and to enact in lieu thereof two new sections relating to disqualification from unemployment benefits.

**SB 878**—By Lamping.

An Act to amend chapter 393, RSMo, by adding thereto six new sections relating to electrical corporation resource plans.

Senator Schmitt assumed the Chair.

The Senate observed a moment of silence in memory of former State Representative Ron Casey.

### **MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY

65102

February 14, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Gregory B. Allen, 3732 Belleview, Kansas City, Jackson County, Missouri 64111, as a member of the State Historical Records Advisory Board, for a term ending November 1, 2015, and until his successor is duly appointed and qualified; vice, Gregory B. Allen, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 14, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Kelly L. Kochanski, 215 West Normal Street, Kirksville, Adair County, Missouri 63501, as the student representative of the Truman State University Board of Governors, for a term ending January 1, 2016, and until her successor is duly appointed and qualified; vice, Michael J. Bushur, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 14, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Tracy Mulderig, 9214 Grant Farm Trail, Crestwood, Saint Louis County, Missouri 63126, as the student representative of the University of Missouri Board of Curators, for a term ending January 1, 2016, and until her successor is duly appointed and qualified; vice, Amy G. Johnston, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 14, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Cynthia L. Parks, 2665 North Locust Grove Church Road, Columbia, Boone County, Missouri 65202, as a member of the State

Historical Records Advisory Board, for a term ending November 1, 2014, and until her successor is duly appointed and qualified; vice, Cynthia L. Parks, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 14, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

David E. Richards, 4327 South Mentor, Springfield, Greene County, Missouri 65804, as a member of the State Historical Records Advisory Board, for a term ending November 1, 2016, and until his successor is duly appointed and qualified; vice, David E. Richards, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 14, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Susan R. Sparks, 3780 Highway O, Humansville, Polk County, Missouri 65674, as a member of the State Historical Records Advisory Board, for a term ending November 1, 2016, and until her successor is duly appointed and qualified; vice, Terry L. Ramsey, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Dempsey referred the above appointments to the Committee on Gubernatorial Appointments.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1058**, entitled:

An Act to repeal sections 311.240 and 311.730, RSMo, and to enact in lieu thereof three new sections relating to alcohol regulation fees.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.



Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1133**, entitled:

An Act to repeal section 195.015, RSMo, and to enact in lieu thereof ten new sections relating to a prescription drug monitoring program, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1051**, entitled:

An Act to repeal section 195.017, RSMo, and to enact in lieu thereof one new section relating to synthetic cannabinoids, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 48**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 39(b) of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the state lottery.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

#### **SENATE BILLS FOR PERFECTION**

**SB 537** was placed on the Informal Calendar.

**SB 694** was placed on the Informal Calendar.

**SB 519** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **SB 663**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Silvey, **SB 668** was placed on the Informal Calendar.

**SB 609** was placed on the Informal Calendar.

At the request of Senator Brown, **SB 664**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Wallingford, **SB 529**, with **SCS**, was placed on the Informal Calendar.

Senator Schaefer moved that **SJR 36**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SJR 36**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE JOINT RESOLUTION NO. 36

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 23 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the right of Missouri citizens to keep and bear arms.

Was taken up.

Senator Schaefer moved that **SCS** for **SJR 36** be adopted.

Senator Sifton offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Joint Resolution No. 36, Page 1, Section 23, Line 11, by inserting immediately after “felons” the following “, **offenders who have been convicted of or plead guilty to misdemeanor domestic assault**”

Senator Sifton moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Curls, Justus, Keaveny and LeVota.

**SA 1** failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton
Walsh—9							

NAYS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

Senator Schaefer moved that **SCS** for **SJR 36** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **SJR 36** was declared perfected and ordered printed.

Photographers from ABC17-TV and KRCG were given permission to take pictures in the Senate Chamber.

**PRIVILEGED MOTIONS**

Having voted on the prevailing side, Senator Schaaf moved that the vote by which **SCS** for **SB 613**, as amended, was declared perfected and ordered printed be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
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Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

## NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton
Walsh—9							

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

Having voted on the prevailing side, Senator Schaaf moved that the vote by which **SCS** for **SB 613**, as amended, was adopted be reconsidered, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh
Wasson—25							

## NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	Nasheed—7	
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Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

Senator Kehoe assumed the Chair.

Senator Kraus assumed the Chair.

Senator Pearce assumed the Chair.

President Pro Tem Dempsey assumed the Chair.

Having voted on the prevailing side, Senator Schaaf moved that the vote by which **SA 5**, as amended, was adopted be reconsidered, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—22		

## NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton
Walsh—9							

Absent—Senator Lamping—1

Absent with leave—Senator Rupp—1

Vacancies—1

**SA 5**, as amended, was again taken up.

Senator Nasheed moved that the above amendment be adopted, which motion failed.

Senator Nieves moved that **SCS** for **SB 613**, as amended, be adopted, which motion prevailed.

On motion of Senator Nieves, **SCS** for **SB 613**, as amended, was declared perfected and ordered printed.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SJR 36**, begs leave to report that it has examined the same and finds that the joint resolution has been truly perfected and that the printed copies furnished the Senators are correct.

### **REFERRALS**

President Pro Tem Dempsey referred **SCS** for **SJR 36** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey referred **SCR 32** and **HCR 18** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

### **INTRODUCTIONS OF GUESTS**

Senator Kehoe introduced to the Senate, Zach Barnes, Jefferson City; and Zach was made an honorary page.

Senator Brown introduced to the Senate, Caleb Cook and Keith and Theron Schescke, Rolla.

Senator LeVota introduced to the Senate, John Treese, Joe Lawrason, Garrett Shoup, Alex DeHann, Andrew Fike, Johnathon Wicks, Aidan Wicks, Carlos Cruz, Jeff Fox, J. T. Scott, Richard Troeh, Marvin Sands, David Treese, Joe Lawranson, Sr., and Enrique Cruz, Independence; and Matthew Richards, Blake Richards, Blair Richards, Erick Richards, Aonna Richards and Jordan Lamb, Kansas City.

Senator Schaaf introduced to the Senate, Mariah Mathews, Weston.

Senator Munzlinger introduced to the Senate, 2014 4-H Legislative Academy delegates Anne Marie Anibal, Carthage; Rebecca Bade, New Bloomfield; Morgan Bangert, Jackson; Kara Berrey, Carrollton; David Bippes, Rolla; Colby Dowell, Odessa; Ashley Hulet, Kirksville; Angela Marulanda, Columbia; Jensen Mayes, Lathrop; Michaela Ruth, Washington; Bridget Schumer, Perryville; Samuel (Tre) Warfield, Sikeston; and leaders Kathy Bondy, Higginsville; and Steve Henness and Joyce Taylor, Columbia.

Senator Dixon introduced to the Senate, Evelyn and Brianne Jennings, Ashland.

Senator Schmitt introduced to the Senate, Christine Panik and her son, Nolan Joseph, St. Louis.

On motion of Senator Richard, the Senate adjourned under the rules.

## SENATE CALENDAR

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TWENTY-THIRD DAY—TUESDAY, FEBRUARY 18, 2014

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## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 775-Walsh	SB 804-Schaaf
SB 776-Nieves	SB 805-Justus
SB 777-Nieves	SB 806-LeVota
SB 778-Nieves	SB 807-LeVota and Curls
SB 779-Munzlinger	SB 808-Wasson
SB 780-LeVota	SB 809-Wasson
SB 781-LeVota	SB 810-Holsman
SB 782-Romine	SB 811-Schaaf
SB 783-Romine	SB 812-Parson
SB 784-Romine	SB 813-LeVota
SB 785-Kehoe	SB 814-Brown
SB 786-Schmitt	SB 815-Pearce
SB 787-Justus	SB 816-Sater
SB 788-Brown	SB 817-Sifton
SB 789-Dixon	SB 818-Kehoe
SB 790-Dixon	SB 819-Wallingford
SB 791-Parson and Schaaf	SB 820-Schaefer
SB 792-Parson	SB 821-Schaefer
SB 793-Dixon	SB 822-Parson
SB 794-Chappelle-Nadal	SB 823-Dixon, et al
SB 795-Lager	SB 824-Dixon
SB 796-Parson	SB 825-Chappelle-Nadal
SB 797-Nieves	SB 826-Brown
SB 798-Emery	SB 827-Keaveny
SB 799-Emery	SB 828-Schaaf
SB 800-Romine	SB 829-Kraus
SB 801-Holsman	SB 830-Parson
SB 802-Dixon	SB 831-Wallingford
SB 803-Justus	SB 832-Walsh

SB 833-Walsh	SB 857-Holsman
SB 834-Walsh	SB 858-Kraus
SB 835-Munzlinger	SB 859-Brown
SB 836-Munzlinger	SB 860-Cunningham
SB 837-Sifton	SB 861-Schaefer
SB 838-Emery	SB 862-Lager
SB 839-Sater	SB 863-Emery
SB 840-Pearce	SB 864-Schaaf
SB 841-Wasson	SB 865-Nieves
SB 842-Parson	SB 866-Wasson
SB 843-Schaefer	SB 867-Wasson
SB 844-Dixon	SB 868-Sater
SB 845-Chappelle-Nadal	SB 869-Schmitt
SB 846-Richard	SB 870-Holsman
SB 847-Schaaf	SB 871-Holsman
SB 848-LeVota	SB 872-Wallingford and Justus
SB 849-Walsh	SB 873-Brown
SB 850-Munzlinger	SB 874-Wasson
SB 851-Munzlinger	SB 875-Sater
SB 852-Schmitt	SB 876-LeVota
SB 853-Wasson	SB 877-Kraus
SB 854-Wasson	SB 878-Lamping
SB 855-Schaefer	SJR 49-Cunningham
SB 856-Emery	

#### HOUSE BILLS ON SECOND READING

HB 1430-Jones (110), et al	HCS for HB 1051
HCS for HB 1058	HJR 48-Solon, et al
HB 1133-Engler, et al	

#### THIRD READING OF SENATE BILLS

SCS for SJR 36-Schaefer and Richard  
(In Fiscal Oversight)

#### SENATE BILLS FOR PERFECTION

SB 491-Justus and Dixon, with SCS	SB 567-Chappelle-Nadal, with SCS
SB 543-Munzlinger	

## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

SB 492-Pearce, with SCS (pending)

SBs 509 & 496-Kraus, with SCS &  
SA 1 (pending)SB 518-Sater, with SCS, SA 2 &  
SA 1 to SA 2 (pending)

SB 519-Sater

SB 529-Wallingford, with SCS

SB 530-Libla, with SCS (pending)

SB 537-Rupp

SB 609-Rupp

SB 663-Munzlinger, with SCS

SB 664-Brown, with SCS

SB 668-Silvey

SB 694-Cunningham

## CONSENT CALENDAR

## Senate Bills

Reported 2/13

SB 690-Wasson

SB 527-Wallingford

SB 614-Dixon

SB 615-Dixon

SB 621-Dixon

SB 520-Sater, with SCS

SB 643-Rupp, with SCS

SB 674-Kehoe

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# Journal of the Senate

## SECOND REGULAR SESSION

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**TWENTY-THIRD DAY—TUESDAY, FEBRUARY 18, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Don’t worry when you are not recognized, but strive to be worthy of recognition.” (Abraham Lincoln)

Gracious Father, may we always recognize You, Our God, for You have done and continue to do things that are worthy of our praise. May we, in a like manner, live and do those things that are worthy not of praise but of recognition for what and how they help our neighbors and state. May we always not seek to hold ourselves up but the strength and goodness of the people we serve. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

**Present—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Schmitt offered Senate Resolution No. 1381, regarding Michael G. “Mike” Brown, Kirkwood, which was adopted.



Senator Dixon offered Senate Resolution No. 1382, regarding MaryLou VonderStrasse, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 1383, regarding Jane Duff, Springfield, which was adopted.

Senator Schmitt assumed the Chair.

### **INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 879**—By Sifton.

An Act to repeal section 650.055, RSMo, and to enact in lieu thereof one new section relating to the collection of biological samples from individuals arrested for felony offenses.

**SB 880**—By Sifton.

An Act to amend chapter 32, RSMo, by adding thereto one new section relating to reciprocal collection agreements.

**SB 881**—By Sifton.

An Act to repeal sections 143.902, 144.380, and 144.690, RSMo, and to enact in lieu thereof four new sections relating to collection of delinquent taxes, with penalty provisions.

**SB 882**—By Brown.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to the creation of a county municipal court.

**SB 883**—By Wasson.

An Act to repeal sections 436.405, 436.430, 436.450, 436.455, 436.456, 436.457, 436.458, and 436.460, RSMo, and to enact in lieu thereof eight new sections relating to preneed funeral contracts.

**SB 884**—By Wallingford.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance for dental services.

**SB 885**—By Pearce.

An Act to repeal sections 345.015, 345.020, 345.022, 345.025, 345.040, 345.050, 345.051, 345.065, and 345.080, RSMo, and to enact in lieu thereof eight new sections relating to the licensing of speech-language pathologists and audiologists, with existing penalty provisions.

**SB 886**—By Schaefer.

An Act to repeal sections 512.180, 534.060, 535.030, 535.110, 535.160, 535.170, 535.200, and 535.210, RSMo, and to enact in lieu thereof eight new sections relating to landlord tenant actions.

**SB 887**—By Schaefer.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to administrative costs of public institutions of higher education.

**SB 888**—By Parson.

An Act to repeal section 281.065, RSMo, and to enact in lieu thereof one new section relating to evidence of financial responsibility for certified commercial pesticide applicators.

**SB 889**—By Parson.

An Act to repeal sections 550.020 and 550.030, RSMo, and to enact in lieu thereof two new sections relating to costs in criminal cases.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 613**, begs leave to report that it has examined the same and finds that the bill has been truly re-perfected and that the printed copies furnished the Senators are correct.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

### **SENATE BILLS FOR PERFECTION**

Senator Pearce moved that **SB 492**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SCS** for **SB 492** was again taken up.

Senator Schaefer offered **SA 1**, which was read:

#### **SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for Senate Bill No. 492, Page 1, Section 163.192, Line 14, by inserting immediately after “2.” the following: “**Unless the general assembly chooses to otherwise appropriate state funding**”; and

Further amend said bill and section, page 2, line 38, by inserting immediately after “(1)” the following: “**Unless otherwise provided by the general assembly during the appropriations process,**”; and further amend line 42, by inserting immediately after “(2)” the following: “**Unless otherwise provided by the general assembly during the appropriations process,**”.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

Senator Schmitt offered **SA 2**:

#### **SENATE AMENDMENT NO. 2**

Amend Senate Committee Substitute for Senate Bill No. 492, Page 1, Section 163.192, Line 18, by inserting immediately after “section.” the following: “**The university resource allocation model shall expire on June 30, 2016.**”; and

Further amend said bill and section, page 2, line 26 by striking “2015” and inserting in lieu thereof the following: “**2014**”; and further amend line 28 by striking “2016” and inserting in lieu thereof the following:

“**2015**”; and further amend line 33 by striking “November 1, 2019” and inserting in lieu thereof the following: “**January 1, 2016**”; and further amend line 56 by striking “2015” and inserting in lieu thereof the following: “**2014**”; and

Further amend said bill and section, page 3, line 63, by striking the word “and” and inserting in lieu thereof the following: “,”; and further amend line 64 by inserting immediately after the word “rates” the following: “, **student job placement in a field or position associated with the student’s degree level, and pursuit of a graduate degree**”; and further amend line 77 by striking “August 28, 2014” and inserting in lieu thereof the following: “**the effective date of this section**”; and

Further amend said line, by inserting after all of said line the following:

“Section B. Because of the importance of establishing state funding benchmarks for public institutions of higher education, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted.

Senator Kehoe assumed the Chair.

Senator Chappelle-Nadal offered **SA 1** to **SA 2**, which was read:

SENATE AMENDMENT NO. 1  
TO SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Committee Substitute for Senate Bill No. 492, Page 1, Line 18, by inserting immediately after the second use of the word “degree” the following: “**. The institutional performance measure relating to job placement shall not be used in any year in which the state unemployment rate has increased from the previous calendar year’s state unemployment rate**”.

Senator Chappelle-Nadal moved that the above amendment be adopted.

At the request of Senator Chappelle-Nadal, **SA 1** to **SA 2** was withdrawn.

Senator Chappelle-Nadal offered **SA 2** to **SA 2**, which was read:

SENATE AMENDMENT NO. 2  
TO SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Committee Substitute for Senate Bill No. 492, Page 1, Line 18, by inserting immediately after the second use of the word “degree” the following: “**. The institutional performance measure relating to job placement may not be used in any year in which the state unemployment rate has increased from the previous calendar year’s state unemployment rate**”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

**SA 2**, as amended, was again taken up.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Pearce moved that **SCS** for **SB 492**, as amended, be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS** for **SB 492**, as amended, was declared perfected and ordered printed.

On motion of Senator Richard, the Senate recessed until 4:00 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Pearce.

### **RESOLUTIONS**

Senator Dixon offered Senate Resolution No. 1384, regarding Joseph Howard Fisk, which was adopted.

Senator Keaveny offered Senate Resolution No. 1385, regarding Joshua Zelldrick Temple, St. Louis, which was adopted.

Senator Sater offered Senate Resolution No. 1386, regarding Eldon Cole, Mount Vernon, which was adopted.

Senator Rupp offered Senate Resolution No. 1387, regarding J. Todd Gentry, O'Fallon, which was adopted.

Senator Rupp offered Senate Resolution No. 1388, regarding Patt Holt, Saint Charles, which was adopted.

Senator Walsh, joined by the entire membership, offered the following resolution, which was adopted:

#### **SENATE RESOLUTION NO. 1389**

Whereas, the members of the Missouri Senate are deeply saddened by the news of the sudden passing of our former colleague, Ron Casey of Crystal City, Missouri, who passed away on Sunday, February 16, 2014; and

Whereas, Ron Casey was born on November 27, 1952, in Dayton, Texas, the son of the late Reverend Gene and Joyce Casey; and

Whereas, a 1971 graduate of Festus High School, Ron Casey served for twelve years on the Jefferson County Commission, which at the time was the county's legislative body, and in total, he worked for more than twenty-two years in Jefferson County government, including jobs in the Prosecuting Attorney's Office and Sheriff's Office; and

Whereas, Ron Casey was elected to four two-year terms in the Missouri House of Representatives, where he served diligently between 2004 and 2012, representing southeast Jefferson County; and

Whereas, among his many community activities, Ron Casey was a member of the board of directors for the Quad Cities Senior Center, a member of the Festus-Crystal City Kiwanis Club, Festus-Crystal City Lions Club, University of Missouri Extension Council, the Quad Cities Senior Citizens Center Board, the Twin City Area Chamber of Commerce, the Jefferson County Park Board, the Rock Creek Public Sewer District, as well as a deacon at Second Baptist Church in Festus; and

Whereas, Ron Casey is credited by many as a good friend and mentor who held the principles of integrity and character utmost in his dealings with others, which is what made him such an effective public servant, trusted and treasured colleague, and a consummate professional with a commitment to helping all of his constituents; and

Whereas, Representative Casey will be long and well remembered by his sister, Jan Roberts; his older brother, Randy Casey; his two younger brothers, Rick Casey and Rod Casey; many other relatives and countless cherished friends:

Now, Therefore, Be It Resolved that we, the members of the Missouri Senate, Ninety-seventh General Assembly, join unanimously to extend our most sincere condolences to the family of Ron Casey on this unspeakably sad occasion; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for presentation to the family of Representative Ron Casey, as a mark of our regard and respect.

Senator Curls offered Senate Resolution No. 1390, regarding the death of Melvin “Eddie” Starks, Kansas City, which was adopted.

Senator Munzlinger requested unanimous consent of the Senate to withdraw **SB 851**, which request was granted.

President Pro Tem Dempsey assumed the Chair.

### **SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **HB 1125**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Pearce assumed the Chair.

### **SENATE BILLS FOR PERFECTION**

Senator Rupp moved that **SB 537** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Rupp offered **SS** for **SB 537**, entitled:

#### **SENATE SUBSTITUTE FOR SENATE BILL NO. 537**

An Act to repeal sections 382.010, 382.020, 382.040, 382.050, 382.060, 382.080, 382.095, 382.110, 382.170, 382.180, 382.190, 382.195, 382.220, and 382.230, RSMo, and to enact in lieu thereof seventeen new sections relating to regulating the business of insurance, with penalty provisions.

Senator Rupp moved that **SS** for **SB 537** be adopted.

Senator Rupp offered **SA 1**:

#### **SENATE AMENDMENT NO. 1**

Amend Senate Substitute for Senate Bill No. 537, Page 42, Section 382.230, Lines 5-9 of said page, by striking all of said lines.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator LeVota offered **SA 2**:

#### **SENATE AMENDMENT NO. 2**

Amend Senate Substitute for Senate Bill No. 537, Page 1, Section A, Line 7, by inserting after all of said line the following:

**“376.465. 1. As used in sections 376.465 to 376.468, the following terms mean:**

**(1) “Department”, the department of insurance, financial institutions and professional registration;**

**(2) “Director”, the director of the department of insurance, financial institutions and professional registration;**

(3) “Enrollee”, a policyholder, subscriber, covered person, or other individual participating in a health benefit plan;

(4) “Health benefit plan”, shall have the same meaning as such term is defined in section 376.1350;

(5) “Health carrier”, shall have the same meaning as such term is defined in section 376.1350;

(6) “Significant increase”, a rate increase exceeding the rate increases contemplated in 42 U.S.C. Section 300gg-94 and outlined in any regulations promulgated under the authority granted therein.

2. Beginning July 1, 2014, every health carrier issuing a health benefit plan form which is submitted for approval under section 354.085, 354.405, 376.405, or 376.777 shall file with the director its premium rates and classification of risks pertaining to such form together with sufficient information to support the premium to be charged. Such premium rates, classification of risks, and all modifications thereof shall be filed with the director no later than sixty days prior to their effective date. Plan forms, rate filings, and supporting data included in the definition of public record under section 610.010 shall be posted and available to the public on the department’s website.

3. Each rate filing shall include:

(1) The product form number or numbers and approval date of the product form or forms to which the rate applies;

(2) A statement of actuarial justification; and

(3) Information sufficient to support the rate, including but not limited to:

(a) All factors that could be considered in calculating the premium to be paid for a health benefit plan;

(b) An appropriate explanation for each factor; and

(c) Any other information which would be needed to enable any other actuary who is a specifically qualified member of the American Academy of Actuaries to validate the rates and associated factors.

4. A rate filing required under this section shall be submitted by a qualified actuary representing the health carrier. The qualified actuary shall be a specifically qualified member of the American Academy of Actuaries. The statement by the qualified actuary shall:

(1) Certify that to the best of the actuary’s knowledge and belief the rates are not excessive, inadequate, or unfairly discriminatory;

(2) State the basis for such conclusion; and

(3) Attach all documentary material considered in reaching such conclusion.

5. All premium rates for health benefit plans shall be made in accordance with the following provisions and due consideration shall be given to:

(1) Past and prospective loss experience;

(2) Current and projected loss ratio;

(3) Past and prospective expenses;

(4) Trend projections related to utilization, and service or unit costs;

- (5) Per enrollee per month allocation of current and projected premium;**
- (6) Three year history of rate increases for products subject to the rate increase; and**
- (7) Adequacy of contingency reserves.**

**6. Any risk classification, premium rates, and all modifications thereof shall not establish an excessive, inadequate, or unfairly discriminatory rate. No rate shall be held to be excessive unless such rate is unreasonably high for the insurance coverage provided. No rate shall be held to be inadequate unless such rate is unreasonably low for the insurance coverage provided and is insufficient to sustain projected losses and expenses. Unfair discrimination shall have the same meaning ascribed to such term in section 375.936.**

**7. In accordance with the procedures set forth in section 376.466, the director shall review the proposed rates, the information submitted in support of the proposed rates, and any supplemental information requested by the director or otherwise submitted to the director regarding the proposed rates and make a determination as to whether the rates are excessive, inadequate, or unfairly discriminatory within thirty days from the date of the filing by the health carrier.**

**8. The director may promulgate rules to implement the provisions of this section. Such regulations may, among other things, clarify or explain the form and content of the information required to be submitted under this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.**

**376.466. 1. Concurrent with the filing of a significant rate increase for approval by the department, a health carrier shall notify in writing all affected enrollees and policyholders of the proposed significant rate increase. Such notice shall specify the rate increase proposed that is applicable to each enrollee or policyholder, and shall include the ranking and quantification of those factors that are responsible for the amount of the rate increase proposed. The notice shall include information about how the enrollee or policyholder can contact the department for assistance.**

**2. Within ten days of the date the health carrier files for approval of a significant rate increase, the director shall set a date for a public hearing on the proposed significant rate increase. The hearing shall be held no later than thirty days after the department receives the filing from the health carrier. The director shall provide a copy of any information filed by the health carrier under subsection 2 of section 376.465 to any person making a written request for the information. At the hearing, the health carrier may provide additional information in support of its proposed significant rate increase and any member of the public may provide information in support of or in opposition to the proposed significant rate increase.**

**3. The director shall solicit public comments on each proposed significant rate increase and shall post without delay all comments received on the department's website prior to approval or disapproval of the proposed significant rate increase.**

**4. The director shall consider the public testimony and comments received for consideration in determining whether to approve or disapprove such significant rate increase proposals.**

**5. Within twenty days of the hearing described in subsection 2 of this section, the director shall review all of the information submitted to determine whether the proposed significant rate increase is justified. No rate shall be considered justified that is excessive, inadequate, or unfairly discriminatory. If the director determines that the rate is justified, the director shall issue an order authorizing the health carrier to use the premium rate as proposed. If the director determines that the rate is not justified, the director shall issue an order prohibiting the use of the premium rate as proposed. The health carrier, or an enrollee or policyholder under section 376.468, may appeal the director's decision under chapter 536.**

**6. Within ten days of the director's decision and notice to the health carrier of such decision, the health carrier shall notify in writing all affected enrollees and policyholders of the determination of the director regarding the premium rate increase.**

**7. The director shall adopt regulations to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section, section 376.465, and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.**

**376.468. Any enrollee or policyholder notified by a health carrier of a proposed rate increase and the director's decision under section 376.466 shall be entitled to judicial review as provided in chapter 536 if:**

**(1) The enrollee or policyholder pays all or a majority portion of the premium for the health insurance policy; and**

**(2) The enrollee or policyholder will be paying all or a majority portion of the increase of premium for the health insurance policy; and**

**(3) The premium rate increase is:**

**(a) Equal to or greater than an eight percent increase in premium for a health insurance policy providing the same coverage for the new policy period as was provided in the immediately preceding policy period; or**

**(b) Equal to or greater than a twenty percent increase in premium for a health insurance policy which provides additional coverage for the new policy period as compared to the coverage provided in the immediately preceding policy period; and**

**(4) The appeal is the only appeal made for a premium increase for or during the new policy period.”; and**

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted.



Senator Rupp raised the point of order that **SA 2** is out of order in that it goes beyond the scope of the subject matter of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Rupp moved that **SS** for **SB 537**, as amended, be adopted, which motion prevailed.

On motion of Senator Rupp, **SS** for **SB 537**, as amended, was declared perfected and ordered printed.

Senator Rupp moved that **SB 609** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Rupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 609, Page 4, Section 379.012, Line 3, by striking the word “property”; and further amend line 9, by striking the word “deliver” and inserting in lieu thereof the following: “**make**”; and further amend line 10, by inserting immediately after the word “endorsements” the following: “**available electronically on the insurer’s website**”.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Rupp, **SB 609**, as amended, was declared perfected and ordered printed.

Senator Cunningham moved that **SB 694** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Cunningham offered **SS** for **SB 694**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 694

An Act to repeal sections 408.500, 408.505, and 408.506, RSMo, and to enact in lieu thereof three new sections relating to unsecured loans of five hundred dollars or less, with penalty provisions.

Senator Cunningham moved that **SS** for **SB 694** be adopted.

At the request of Senator Cunningham, **SB 694**, with **SS** (pending), was placed on the Informal Calendar.

Senator Silvey moved that **SB 668** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Silvey offered **SS** for **SB 668**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 668

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to oral chemotherapy parity.

Senator Silvey moved that **SS** for **SB 668** be adopted.

Senator Silvey offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 668, Page 1, Section 376.1257, Line 17, by striking the word “cancer” and inserting in lieu thereof, the following: “**anticancer**”; and

Further amend said bill and section page 2, line 2, by striking the word “cancer” and inserting in lieu thereof, the following: “**anticancer**”.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

Senator Silvey moved that **SS** for **SB 668**, as amended, be adopted, which motion prevailed.

On motion of Senator Silvey, **SS** for **SB 668**, as amended, was declared perfected and ordered printed.

Senator Brown moved that **SB 664**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 664**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 664

An Act to amend chapter 644, RSMo, by adding thereto one new section relating to water quality standards.

Was taken up.

Senator Brown moved that **SCS** for **SB 664** be adopted.

Senator Lager assumed the Chair.

Senator Schaaf offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 664, Page 1, Section 644.058, Line 9, by striking “watershed” and inserting in lieu thereof the following: “**subbasin**”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Brown, **SB 664**, with **SCS**, as amended (pending), was placed on the Informal Calendar.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 18, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Tracy Mulderig as the student representative of the University of Missouri Board of Curators, submitted to you on February 14, 2014. Line 4 should be amended to read:

vice, Amy G. Johnson, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Dempsey referred the above addendum to the Committee on Gubernatorial Appointments.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 674**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 615**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 643**, with **SCS**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 492** and **SB 609**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### **INTRODUCTIONS OF GUESTS**

On behalf of Senator Parson and himself, Senator Pearce introduced to the Senate, Ann Graff, Sedalia.

Senator Parson introduced to the Senate, members of Leadership Bolivar, Chris McClay, Shelley Choate, Jeffery Jackley, Gary Miller, Valerie Noblett, Amber Cline, Travis Jones, Randy Moore and Rebekah Wright.

Senator Romine introduced to the Senate, representatives of University of Missouri Extension Centers.

Senator Wasson introduced to the Senate, representatives of Missouri Society of Anesthesiologists.

Senator Parson introduced to the Senate, Velynda Cameron, Sara Lowry and 4-H members, Polk and Dallas counties.

Senator Walsh introduced to the Senate, Ginger Cunningham, Ayanna Baldwin and April Hamber, and Lauren Cunningham, Madison Miles, Michaela White, Destiny Brown, Kaylee Hibbler, Mackenzie Goliday

and Nadya Young, St. Louis; and Lauren, Madison, Michaela, Destiny, Kaylee, Mackenzie and Nadya were made honorary pages.

On behalf of Senator Keaveny and himself, Senator Pearce introduced to the Senate, Director General Jack J.C. Yang and Forster Lee, Taipei Economic and Cultural Office, Kansas City.

On behalf of Senator Pearce, the President introduced to the Senate, Colby Dowell, Odessa.

Senator Wallingford introduced to the Senate, Tre' Warfield, Sikeston.

Senator Munzlinger introduced to the Senate, Ashley Hulet, Kirksville.

Senator Holsman introduced to the Senate, the Physician of the Day, Jim Kelly, M.D., Kansas City.

On motion of Senator Richard, the Senate adjourned the rules.

## SENATE CALENDAR

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TWENTY-FOURTH DAY—WEDNESDAY, FEBRUARY 19, 2014

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## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 775-Walsh	SB 793-Dixon
SB 776-Nieves	SB 794-Chappelle-Nadal
SB 777-Nieves	SB 795-Lager
SB 778-Nieves	SB 796-Parson
SB 779-Munzlinger	SB 797-Nieves
SB 780-LeVota	SB 798-Emery
SB 781-LeVota	SB 799-Emery
SB 782-Romine	SB 800-Romine
SB 783-Romine	SB 801-Holsman
SB 784-Romine	SB 802-Dixon
SB 785-Kehoe	SB 803-Justus
SB 786-Schmitt	SB 804-Schaaf
SB 787-Justus	SB 805-Justus
SB 788-Brown	SB 806-LeVota
SB 789-Dixon	SB 807-LeVota and Curls
SB 790-Dixon	SB 808-Wasson
SB 791-Parson and Schaaf	SB 809-Wasson
SB 792-Parson	SB 810-Holsman

SB 811-Schaaf	SB 852-Schmitt
SB 812-Parson	SB 853-Wasson
SB 813-LeVota	SB 854-Wasson
SB 814-Brown	SB 855-Schaefer
SB 815-Pearce	SB 856-Emery
SB 816-Sater	SB 857-Holsman
SB 817-Sifton	SB 858-Kraus
SB 818-Kehoe	SB 859-Brown
SB 819-Wallingford	SB 860-Cunningham
SB 820-Schaefer	SB 861-Schaefer
SB 821-Schaefer	SB 862-Lager
SB 822-Parson	SB 863-Emery
SB 823-Dixon, et al	SB 864-Schaaf
SB 824-Dixon	SB 865-Nieves
SB 825-Chappelle-Nadal	SB 866-Wasson
SB 826-Brown	SB 867-Wasson
SB 827-Keaveny	SB 868-Sater
SB 828-Schaaf	SB 869-Schmitt
SB 829-Kraus	SB 870-Holsman
SB 830-Parson	SB 871-Holsman
SB 831-Wallingford	SB 872-Wallingford and Justus
SB 832-Walsh	SB 873-Brown
SB 833-Walsh	SB 874-Wasson
SB 834-Walsh	SB 875-Sater
SB 835-Munzlinger	SB 876-LeVota
SB 836-Munzlinger	SB 877-Kraus
SB 837-Sifton	SB 878-Lamping
SB 838-Emery	SB 879-Sifton
SB 839-Sater	SB 880-Sifton
SB 840-Pearce	SB 881-Sifton
SB 841-Wasson	SB 882-Brown
SB 842-Parson	SB 883-Wasson
SB 843-Schaefer	SB 884-Wallingford
SB 844-Dixon	SB 885-Pearce
SB 845-Chappelle-Nadal	SB 886-Schaefer
SB 846-Richard	SB 887-Schaefer
SB 847-Schaaf	SB 888-Parson
SB 848-LeVota	SB 889-Parson
SB 849-Walsh	SJR 49-Cunningham
SB 850-Munzlinger	

HOUSE BILLS ON SECOND READING

HB 1430-Jones (110), et al  
HCS for HB 1058  
HB 1133-Engler, et al

HCS for HB 1051  
HJR 48-Solon, et al

THIRD READING OF SENATE BILLS

SCS for SJR 36-Schaefer and Richard  
(In Fiscal Oversight)  
SCS for SB 613-Nieves, et al

SCS for SB 492-Pearce  
SB 609-Rupp

SENATE BILLS FOR PERFECTION

SB 491-Justus and Dixon, with SCS  
SB 543-Munzlinger

SB 567-Chappelle-Nadal, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SBs 509 & 496-Kraus, with SCS & SA 1  
(pending)  
SB 518-Sater, with SCS, SA 2 & SA 1 to SA 2  
(pending)  
SB 519-Sater

SB 529-Wallingford, with SCS  
SB 530-Libla, with SCS (pending)  
SB 663-Munzlinger, with SCS  
SB 664-Brown, with SCS (pending)  
SB 694-Cunningham, with SS (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/13

SB 690-Wasson  
SB 527-Wallingford  
SB 614-Dixon

SB 621-Dixon  
SB 520-Sater, with SCS

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# Journal of the Senate

## SECOND REGULAR SESSION

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**TWENTY-FOURTH DAY—WEDNESDAY, FEBRUARY 19, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“You cannot escape the responsibility of tomorrow by evading it today.” (Abraham Lincoln)

Gracious God, You have called each of us to public service and to be responsible in our serving. Assist us, Lord, to do what is right and what is responsible for us today, knowing that what we work on today, or do not do, will affect our people tomorrow. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

The Senate observed a moment of silence in memory of Hailey Owens and a moment of silent prayer for her family.

**RESOLUTIONS**

Senator Lager offered Senate Resolution No. 1391, regarding Zoë Pixler, Liberty, which was adopted.

Senator Lager offered Senate Resolution No. 1392, regarding Jessica Ann Foreman, Smithville, which was adopted.

**CONCURRENT RESOLUTIONS**

Senator Wallingford offered the following concurrent resolution:

**SENATE CONCURRENT RESOLUTION NO. 33**

Relating to the recognition of February as Oral Health Awareness Month

WHEREAS, oral health is a critical component of overall health affecting speech, nutrition, growth and function, social development, employability and productivity, and quality of life; and

WHEREAS, dental decay is the most common chronic disease among children - four times more common than asthma, four times more common than early-childhood obesity, and twenty times more common than diabetes; and

WHEREAS, untreated dental disease is linked to adverse health outcomes associated with diabetes, stroke, heart disease, bacterial pneumonia, pre-term and low birth weight deliveries, and in some instances, death; and

WHEREAS, students miss more than 51 million hours of school and employed adults lose more than 164 million hours of work each year due to dental disease or dental visits; and

WHEREAS, dental decay affects 18% of the nation's children aged 2-4, 52% of children aged 6-8, and 61% of teenagers age 15; and

WHEREAS, dental decay is one of the most prevalent health problems in Missouri with 55% of third grade children having experienced dental decay; and

WHEREAS, access to dental care is associated with higher utilization of preventive and restorative dental services; and

WHEREAS, the state has improved access for children enrolled in the MO HealthNet program, but more can be done for these low-income children who suffer more tooth decay than their higher-income peers; and

WHEREAS, Missouri residents deserve access to high quality oral health care:

NOW THEREFORE BE IT RESOLVED by the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby :

- (1) Recognize that good oral health is critical to good overall health;
- (2) Support health policies at the state and local levels that are consistent and promote optimal oral health;
- (3) Ensure oral health impact is a consideration in the development of state policy;
- (4) Support the use of available local, state, and federal resources to monitor oral health status;
- (5) Support community oral health initiatives aimed at improving oral health literacy and better health outcomes;
- (6) Recognize each year the month of February as "Oral Health Awareness Month" to draw attention to ongoing efforts at the local, state, and federal levels to improve the oral health of all; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to send a properly inscribed copy of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

Senator LeVota offered the following concurrent resolution:

**SENATE CONCURRENT RESOLUTION NO. 34**

WHEREAS, the Kansas City Chiefs football team was founded by Lamar Hunt; and

WHEREAS, Lamar Hunt brought together the original eight AFL team owners in 1960 to establish the American Football League and



in 1966 was the lead negotiator during the merger of the NFL and the AFL; and

WHEREAS, Lamar Hunt is undoubtedly one of the most influential figures in NFL history, designed current playoff systems, introduced the 2-point conversion rule, introduced the idea for the name “Super Bowl”, is the namesake of the AFL championship “Lamar Hunt Trophy”, and dreamed of hosting the Super Bowl in Kansas City; and

WHEREAS, NFL Commissioner Roger Goodell recently stated, “I believe we need to get to as many communities as possible and give them the opportunity to share in not only the emotional benefits but also the economic benefits. It helps the NFL, it helps our fans and it helps grow our game.”; and

WHEREAS, Arrowhead Stadium has been the Kansas City Chiefs home since 1972 and is the 5th largest stadium in the NFL; and

WHEREAS, Arrowhead Stadium has a capacity of 76,416, is larger than the Super Dome in New Orleans which has hosted seven Super Bowls, and has larger stadium seating than all three upcoming Super Bowl hosts including Phoenix in 2015, San Francisco in 2016, and Houston in 2017; and

WHEREAS, Arrowhead Stadium underwent a \$350 million renovation, completed in mid-2010, which included new luxury boxes, wider concourses and enhanced amenities; and

WHEREAS, no Super Bowl has ever been held in the Midwest, indeed the closest cities to Kansas City to host a Super Bowl are Minneapolis, Indianapolis and Dallas:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the National Football League to name Kansas City as the host of an upcoming Super Bowl; and

BE IT FURTHER RESOLVED that the Department of Economic Development is urged to establish a task force to examine what measures need to be taken in order to bring the Super Bowl to Kansas City, including utilization of any existing economic or other incentives in current state law as well as any proposals for changes needed in state law to bring the Super Bowl to Kansas City, while also developing a plan for highlighting the viability of Kansas City as a site for the Super Bowl; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the director of the Department of Economic Development.

## INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

**SB 890**—By Kehoe.

An Act to repeal section 508.010, RSMo, and to enact in lieu thereof one new section relating to venue for injury outside the state of Missouri in connection with railroad operations.

**SB 891**—By Kehoe.

An Act to repeal section 300.320, RSMo, relating to the identification of funeral processions.

**SB 892**—By Kraus.

An Act to repeal sections 115.123 and 115.755, RSMo, and to enact in lieu thereof two new sections relating to the presidential primary election date.

**SB 893**—By Kraus.

An Act to repeal sections 115.121, 115.341, and 115.349, RSMo, and to enact in lieu thereof three new sections relating to the date of the state primary election.

**SB 894**—By Munzlinger.

An Act to repeal section 408.040, RSMo, and to enact in lieu thereof one new section relating to judgment interest rates.

**SB 895**—By Sater.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to pharmacy benefit managers.

**SB 896**—By Wallingford.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to transient guest taxes in certain counties.

**SB 897**—By Wallingford.

An Act to repeal section 221.407, RSMo, and to enact in lieu thereof one new section relating to a sales tax for regional jail districts.

**SB 898**—By Schaefer.

An Act to repeal section 546.720, RSMo, and to enact in lieu thereof one new section relating to the manner of inflicting the punishment of death, with an emergency clause.

**SB 899**—By Justus and Schaaf.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to MO HealthNet coverage for donor breast milk.

**SB 900**—By Lamping.

An Act to repeal section 209.040, RSMo, and to enact in lieu thereof one new section relating to blind pension benefit requirements.

**SB 901**—By Holsman.

An Act to repeal section 130.031 as enacted by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session and section 130.031 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, RSMo, and to enact in lieu thereof twenty-two new sections relating to campaign finance, with a referendum clause and penalty provisions.

### **SENATE BILLS FOR PERFECTION**

Senator Cunningham moved that **SB 694**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Kehoe assumed the Chair.

**SS** for **SB 694** was again taken up.

Senator Chappelle-Nadal offered **SA 1**, which was read:

#### **SENATE AMENDMENT NO. 1**

Amend Senate Substitute for Senate Bill No. 694, Page 6, Section 408.500, Line 13 of said page, by inserting after all of said line the following:

**“13. For every new loan made by a licensee under this section, such licensee shall deliver one dollar to the division to be deposited in the state school moneys fund as established under section 166.051.”.**

Senator Chappelle-Nadal moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Curls, Justus, Nasheed and Holsman.

**SA 1** failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	Nasheed	Sifton	Walsh—8
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NAYS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	LeVota	Libla	Munzlinger	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Wallingford	Wasson—23	

Absent—Senators

Nieves	Silvey—2
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Absent with leave—Senators—None

Vacancies—1

Senator Pearce assumed the Chair.

Senator Schaaf offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 694, Page 7, Section 408.505, Line 3 of said page, by striking the opening bracket “[” from said line; and further amend line 7, by inserting an opening bracket “[” immediately before “and”; and further amend line 8, by striking “section.]” and inserting in lieu thereof the following: “section].”.

Senator Schaaf moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Cunningham moved that **SS** for **SB 694** be adopted, which motion prevailed.

On motion of Senator Cunningham, **SS** for **SB 694** was declared perfected and ordered printed.

Senator Sater moved that **SB 519** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Sater offered **SS** for **SB 519**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 519

An Act to repeal sections 188.027 and 188.039, RSMo, and to enact in lieu thereof two new sections relating to the required waiting period before having an abortion.

Senator Sater moved that **SS** for **SB 519** be adopted.

Senator Kehoe assumed the Chair.

Senator Kraus assumed the Chair.

Senator Justus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 519, Page 1, Section A, Line 3, of said page, by inserting after all of said line the following:

“170.015. 1. Any course materials and instruction relating to human sexuality and sexually transmitted diseases shall be medically and factually accurate, **be based on peer reviewed projects that have been demonstrated to influence healthy behavior, be age appropriate**, and shall:

(1) Present abstinence from sexual activity as the preferred choice of behavior in relation to all sexual activity [for unmarried pupils because it is the only method that is one hundred percent effective in preventing pregnancy, sexually transmitted diseases and the emotional trauma associated with adolescent sexual activity, and advise students that teenage sexual activity places them at a higher risk of dropping out of school because of the consequences of sexually transmitted diseases and unplanned pregnancy] **as the only sure way to avoid pregnancy or sexually transmitted infection;**

(2) Stress that sexually transmitted [diseases] **infections** are serious, possible, health hazards of sexual activity. Pupils shall be provided with the latest medical information regarding exposure to human immunodeficiency virus (**HIV**), acquired immune deficiency syndrome (AIDS), human papilloma virus, hepatitis and other sexually transmitted [diseases] **infections;**

(3) Present students with the latest medically factual information [regarding both the possible side effects and health benefits of all forms of contraception, including the success and failure rates for the prevention of pregnancy and sexually transmitted diseases; or shall present students with information on contraceptives and pregnancy in a manner consistent with the provisions of the federal abstinence education law, 42 U.S.C. Section 710] **about the health benefits and side effects of all contraceptives and barrier methods as a means to prevent pregnancy and to reduce the risk of contracting sexually transmitted infections, HIV/AIDS and other diseases;**

(4) [Include a discussion of the possible emotional and psychological consequences of preadolescent and adolescent sexual activity and the consequences of adolescent pregnancy, as well as the advantages of adoption, including the adoption of special needs children, and the processes involved in making an adoption plan] **Provide information about the vaccine for human papilloma virus, which may prevent cervical cancer, genital warts, infertility, and other reproductive health problems, when administered prior to becoming sexually active;**

(5) **Encourage family communication between parents and children about sexuality;**

(6) **Help young people gain knowledge about the physical, biological, and hormonal changes of adolescence and subsequent states of human maturation and the skills to make responsible decisions about sexuality, including how alcohol and drug use can affect that decision making;**

[(5)] (7) **Teach skills of conflict management, personal responsibility and positive self-esteem through**

discussion and role-playing at appropriate grade levels to emphasize that the pupil has the power to control personal behavior. Pupils shall be encouraged to base their actions on reasoning, self-discipline, sense of responsibility, self-control, and ethical considerations, such as respect for one's self and others. Pupils shall be taught not to make unwanted physical and verbal sexual advances or otherwise exploit another person. Pupils shall be taught to resist unwanted sexual advances and other negative peer pressure;

[(6)] (8) Advise pupils of the laws pertaining to their financial responsibility to children born in and out of wedlock and advise pupils of the provisions of chapter 566 pertaining to statutory rape;

**(9) Help pupils develop skills in critical thinking, problem solving, decision making, and stress management in order to make healthy decisions about sexuality and relationships;**

**(10) Teach pupils about the dangers of sexual predators, including online predators when using electronic communication methods such as the internet, cell phones, text messages, chat rooms, email, and instant messaging programs. Pupils shall be taught how to behave responsibly and remain safe on the internet and the importance of having open communication with responsible adults and reporting any inappropriate situation, activity, or abuse to a responsible adult, and depending on intent and content, to local law enforcement, the FBI, or the CyberTipLine;**

**(11) Teach pupils about the consequences, both personal and legal, of inappropriate text messaging even among friends.**

2. Policies concerning referrals and parental notification regarding contraception shall be determined by local school boards or charter schools, consistent with the provisions of section 167.611.

3. A school district or charter school which provides human sexuality instruction may separate students according to gender for instructional purposes.

4. The board of a school district or charter school shall determine the specific content of the district's or school's instruction in human sexuality, in accordance with subsections 1 to 3 of this section, and shall ensure that all instruction in human sexuality is appropriate to the age of the students receiving such instruction.

5. A school district or charter school shall notify the parent or legal guardian of each student enrolled in the district or school of:

(1) The basic content of the district's or school's human sexuality instruction to be provided to the student; and

(2) The parent's right to remove the student from any part of the district's or school's human sexuality instruction.

6. A school district or charter school shall make all curriculum materials **and names and affiliations of presenters** used in the district's or school's human sexuality instruction available for public inspection pursuant to chapter 610 prior to the use of such materials in actual instruction.

[7. No school district or charter school, or its personnel or agents, shall provide abortion services, or permit a person or entity to offer, sponsor, or furnish in any manner any course materials or instruction relating to human sexuality or sexually transmitted diseases to its students if such person or entity is a provider of abortion services.

8. As used in this section, the following terms mean:

(1) “Abortion”, the same meaning as such term is defined in section 188.015;

(2) “Abortion services”:

(a) Performing, inducing, or assisting in the performance or inducing of an abortion which is not necessary to save the life of the mother;

(b) Encouraging a patient to have an abortion or referring a patient for an abortion, which is not necessary to save the life of the mother; or

(c) Developing or dispensing drugs, chemicals, or devices intended to be used to induce an abortion which is not necessary to save the life of the mother.];” and

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted.

At the request of Senator Sater, **SB 519**, with **SS** and **SA 1** (pending) was placed on the Informal Calendar.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 694**; **SS** for **SB 537**; and **SS** for **SB 668**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 17**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 19**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 20**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 21**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 22**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 29**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

### **REFERRALS**

President Pro Tem Dempsey referred **SS** for **SB 668** and **SS** for **SB 537** to the Committee on Governmental Accountability and Fiscal Oversight.

### **SECOND READING OF SENATE BILLS**

The following Bills were read the 2nd time and referred to the Committees indicated:

**SB 775**—Progress and Development.

**SB 776**—General Laws.

**SB 777**—Ways and Means.

**SB 778**—General Laws.

**SB 779**—Governmental Accountability and Fiscal Oversight.

**SB 780**—Jobs, Economic Development and Local Government.

**SB 781**—Financial and Governmental Organizations and Elections.

**SB 782**—Financial and Governmental Organizations and Elections.

**SB 783**—Financial and Governmental Organizations and Elections.

**SB 784**—Veterans' Affairs and Health.

**SB 785**—Transportation and Infrastructure.

**SB 786**—Jobs, Economic Development and Local Government.

**SB 787**—Progress and Development.

**SB 788**—Commerce, Consumer Protection, Energy and the Environment.

**SB 789**—Governmental Accountability and Fiscal Oversight.

**SB 790**—Judiciary and Civil and Criminal Jurisprudence.

**SB 791**—Commerce, Consumer Protection, Energy and the Environment.

**SB 792**—Judiciary and Civil and Criminal Jurisprudence.

**SB 793**—Judiciary and Civil and Criminal Jurisprudence.

**SB 794**—Financial and Governmental Organizations and Elections.

**SB 795**—Education.

**SB 796**—Seniors, Families and Pensions.

**SB 797**—Judiciary and Civil and Criminal Jurisprudence.

**SB 798**—Education.

**SB 799**—Small Business, Insurance and Industry.

**SB 800**—Governmental Accountability and Fiscal Oversight.

**SB 801**—Commerce, Consumer Protection, Energy and the Environment.

**SB 802**—Seniors, Families and Pensions.

**SB 803**—Jobs, Economic Development and Local Government.

**SB 804**—Progress and Development.

### **REFERRALS**

President Pro Tem Dempsey referred **SS** for **SB 694** to the Committee on Governmental Accountability and Fiscal Oversight.

### **INTRODUCTIONS OF GUESTS**

Senator Wasson introduced to the Senate, Shelbie Countryman, Walnut Grove High School.

Senator Keaveny introduced to the Senate, Paul Hartwig and Brian Murphy, St. Louis.

Senator Holsman introduced to the Senate, Damion Alexander, Napoleon Williams III, Phillip Hanson, Donovan Mouton and Madison Froelich, Raytown High School.

Senator Kehoe introduced to the Senate, administrators, parents, coaches and student athletes representing Baseball, Boys and Girls Cross Country and Boys Basketball, Osage R-III Fatima High School, Westphalia.

Senator Pearce introduced to the Senate, President Jane Webb, President Elect Jayanti Roy, Past President Brenda Martin, Vice President Legislative Affairs Leo Dunham, Vice President Clinical Services Anna Campbell, Graduate Student Representative Ryan So, and representatives of Missouri Speech-Language-Hearing Association.

Senator Justus introduced to the Senate, Junior Leagues of Kansas City, St. Louis, Springfield and St. Joseph.

Senator Emery introduced to the Senate, Elizabeth Jennings, Rich Hill.

Senator Schaefer introduced to the Senate, Ilinca Popescu, Columbia.

Senator Cunningham introduced to the Senate, Casey Buehler, West Plains.

Senator Parson introduced to the Senate, Ellen Hayter, Walnut Grove; Sylvia Ofori-Yeboah, Bolivar;



Bailey Barnes, Cole Camp; and Patrick Smith, Windsor.

Senator Munzlinger introduced to the Senate, Madeline Hamilton and Makayla Nutt, Palmyra.

Senator Walsh introduced to the Senate, Frank Wilson, St. Louis.

Senator Lager introduced to the Senate, Kate Sweiger and Laura Phillips, Maysville.

Senator Pearce introduced to the Senate, Kayce Wright, Warrensburg.

Senator Pearce introduced to the Senate, Mike Shaw, Centerview; David Scally, Eric Zuzack and Ryan Chester, St. Louis; and Cathy Poe, Higginsville.

Senator Justus introduced to the Senate, members of Troy Chamber of Commerce.

Senator Keaveny introduced to the Senate, Gail Farwell, St. Louis.

Senator Brown introduced to the Senate, Brandon Lamberth, Andrea Knaack, Madison Widger, Kristin Blake, Amy Hasten and Brittany Shepherd, representatives of East Central College, Rolla.

Senator Rupp introduced to the Senate, representatives of St. Charles County Vision Leadership Group.

Senator Nieves introduced to the Senate, the Physician of the Day, Tom Stamos, M.D., Chesterfield.

On motion of Senator Richard, the Senate adjourned under the rules.

## SENATE CALENDAR

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TWENTY-FIFTH DAY—THURSDAY, FEBRUARY 20, 2014

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## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 805-Justus  
SB 806-LeVota  
SB 807-LeVota and Curls  
SB 808-Wasson  
SB 809-Wasson  
SB 810-Holsman  
SB 811-Schaaf  
SB 812-Parson  
SB 813-LeVota  
SB 814-Brown  
SB 815-Pearce

SB 816-Sater  
SB 817-Sifton  
SB 818-Kehoe  
SB 819-Wallingford  
SB 820-Schaefer  
SB 821-Schaefer  
SB 822-Parson  
SB 823-Dixon, et al  
SB 824-Dixon  
SB 825-Chappelle-Nadal  
SB 826-Brown

SB 827-Keaveny	SB 866-Wasson
SB 828-Schaaf	SB 867-Wasson
SB 829-Kraus	SB 868-Sater
SB 830-Parson	SB 869-Schmitt
SB 831-Wallingford	SB 870-Holsman
SB 832-Walsh	SB 871-Holsman
SB 833-Walsh	SB 872-Wallingford and Justus
SB 834-Walsh	SB 873-Brown
SB 835-Munzlinger	SB 874-Wasson
SB 836-Munzlinger	SB 875-Sater
SB 837-Sifton	SB 876-LeVota
SB 838-Emery	SB 877-Kraus
SB 839-Sater	SB 878-Lamping
SB 840-Pearce	SB 879-Sifton
SB 841-Wasson	SB 880-Sifton
SB 842-Parson	SB 881-Sifton
SB 843-Schaefer	SB 882-Brown
SB 844-Dixon	SB 883-Wasson
SB 845-Chappelle-Nadal	SB 884-Wallingford
SB 846-Richard	SB 885-Pearce
SB 847-Schaaf	SB 886-Schaefer
SB 848-LeVota	SB 887-Schaefer
SB 849-Walsh	SB 888-Parson
SB 850-Munzlinger	SB 889-Parson
SB 852-Schmitt	SB 890-Kehoe
SB 853-Wasson	SB 891-Kehoe
SB 854-Wasson	SB 892-Kraus
SB 855-Schaefer	SB 893-Kraus
SB 856-Emery	SB 894-Munzlinger
SB 857-Holsman	SB 895-Sater
SB 858-Kraus	SB 896-Wallingford
SB 859-Brown	SB 897-Wallingford
SB 860-Cunningham	SB 898-Schaefer
SB 861-Schaefer	SB 899-Justus and Schaaf
SB 862-Lager	SB 900-Lamping
SB 863-Emery	SB 901-Holsman
SB 864-Schaaf	SJR 49-Cunningham
SB 865-Nieves	

HOUSE BILLS ON SECOND READING

HB 1430-Jones (110), et al  
HCS for HB 1058  
HB 1133-Engler, et al

HCS for HB 1051  
HJR 48-Solon, et al

THIRD READING OF SENATE BILLS

SCS for SJR 36-Schaefer and Richard  
(In Fiscal Oversight)  
SCS for SB 613-Nieves, et al  
SCS for SB 492-Pearce

SB 609-Rupp  
SS for SB 694-Cunningham (In Fiscal Oversight)  
SS for SB 537-Rupp (In Fiscal Oversight)  
SS for SB 668-Silvey (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 491-Justus and Dixon, with SCS  
SB 543-Munzlinger

SB 567-Chappelle-Nadal, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SBs 509 & 496-Kraus, with SCS & SA 1  
(pending)  
SB 518-Sater, with SCS, SA 2 & SA 1 to  
SA 2 (pending)  
SB 519-Sater, with SS & SA 1 (pending)

SB 529-Wallingford, with SCS  
SB 530-Libla, with SCS (pending)  
SB 663-Munzlinger, with SCS  
SB 664-Brown, with SCS (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/13

SB 690-Wasson  
SB 527-Wallingford  
SB 614-Dixon

SB 621-Dixon  
SB 520-Sater, with SCS

## RESOLUTIONS

## Reported from Committee

SCR 17-Wallingford  
SCR 19-Romine  
SCR 20-Walsh

SCR 21-Pearce  
SCR 22-Cunningham and Libla  
SCR 29-Wallingford

## To be Referred

SCR 33-Wallingford

SCR 34-LeVota

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# Journal of the Senate

## SECOND REGULAR SESSION

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**TWENTY-FIFTH DAY—THURSDAY, FEBRUARY 20, 2014**

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The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“The impersonal hand of government can never replace the helping hand of a neighbor.” (Hubert Humphrey)

Almighty God, we know that You guide our hearts and minds in the work that we do here and we know that much of what we do is helpful to our people. Yet we know that governmental bureaucracy is helpful yet impersonal at best. So we would ask Your help that we lead lives that offer a helpful hand from a loving heart that witnesses to the core principles of our faith that drives all we do. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

**RESOLUTIONS**

Senator Cunningham offered Senate Resolution No. 1393, regarding Dan Friend, Hartville, which was adopted.

Senator Cunningham offered Senate Resolution No. 1394, regarding Paula Kirby, Thayer, which was adopted.

Senator Schaaf offered Senate Resolution No. 1395, regarding Anna Rudy, Platte City, which was adopted.

Senator Lager offered Senate Resolution No. 1396, regarding Ryan Matthew Owens, which was adopted.

Senator Dixon offered Senate Resolution No. 1397, regarding Bull's Trophy House, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 1398, regarding Tyler Jett Moffatt, which was adopted.

Senator Dixon offered Senate Resolution No. 1399, regarding Mark Henry Wood, which was adopted.

Senator Dixon offered Senate Resolution No. 1400, regarding Anthony Joseph Beier, which was adopted.

Senator Schaefer offered Senate Resolution No. 1401, regarding the University of Missouri-Columbia 2013 volleyball team, which was adopted.

Senator Lager offered Senate Resolution No. 1402, regarding Shelby Dodson, Smithville, which was adopted.

Senator Schaaf offered Senate Resolution No. 1403, regarding Danielle Van De Vyvere, Parkville, which was adopted.

Senator Kraus offered Senate Resolution No. 1404, regarding Joseph C. Hays, Grain Valley, which was adopted.

Senator Kraus offered Senate Resolution No. 1405, regarding Benjamin W. Hays, Grain Valley, which was adopted.

Senator Lamping offered Senate Resolution No. 1406, regarding Alex Walker, which was adopted.

Senator Pearce offered Senate Resolution No. 1407, regarding Charles Briscoe, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1408, regarding Jack Alexander, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1409, regarding Lizzie Cobb, Knob Noster, which was adopted.

Senator Pearce offered Senate Resolution No. 1410, regarding Patricia M. Rucker, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1411, regarding Thersia Reed, Warrensburg, which was

adopted.

Senator Pearce offered Senate Resolution No. 1412, regarding Laura Goodwin, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1413, regarding Baby Lou Collins, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1414, regarding Irma H. Harris, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1415, regarding Georgia R. Stevens, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1416, regarding Arlether Eaves, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1417, regarding Helen Spencer, Knob Noster, which was adopted.

Senator Pearce offered Senate Resolution No. 1418, regarding Mary Flossie Carter, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1419, regarding Ernest C. Collins, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1420, regarding Pastor Harry D. Stevens, Lee's Summit, which was adopted.

Senator Pearce offered Senate Resolution No. 1421, regarding Timothy Rucker, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1422, regarding Wallace Singleton, Knob Noster, which was adopted.

Senator Pearce offered Senate Resolution No. 1423, regarding Raymond E. Bass, Sr., Knob Noster, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1424, regarding Randall L. Smoot, Leonard, which was adopted.

### **CONCURRENT RESOLUTIONS**

Senator Holsman offered the following concurrent resolution:

#### **SENATE CONCURRENT RESOLUTION NO. 35**

WHEREAS, energy is critical to Missouri citizens cutting across all sectors of Missouri's economy; and

WHEREAS, to meet increasing and future energy demand, Missouri will need to increase energy production from multiple energy sources; and

WHEREAS, future energy sources should enhance Missouri citizens' standard of living while being cost effective and environmentally feasible:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby create the Joint Committee on Missouri's Energy Future and Fuel Sources;

and

BE IT FURTHER RESOLVED that the mission of the Joint Committee shall be to fully consider and make recommendations in a report to the General Assembly on:

- (1) Solar energy, and the calculation of the value of solar energy to Missouri's energy future;
- (2) Propane, and the shortage of supply for Missouri consumers in 2014;
- (3) Hydropower, and the prospect for new generation;
- (4) Natural gas, and the impact of fracking and long-term supply;
- (5) Biofuels, and the effect on food prices;
- (6) Battery storage technology and the future of energy capture, renewable energy firming, frequency leveling, and peak load shaving;
- (7) Alternative transportation fuels, alternative energy transportation infrastructure, electric charging infrastructure, compressed natural gas, and electric vehicle charging stations; and

BE IT FURTHER RESOLVED that the Joint Committee be authorized to call upon any department, office, division, or agency of this state to assist in gathering information pursuant to its objective; and

BE IT FURTHER RESOLVED that the Joint Committee shall be composed of five members of the Senate, and five members of the House of Representatives, with no more than three members of either chamber being of one party. The Senate members of the Joint Committee shall be appointed by the President Pro Tempore of the Senate, and the House of Representatives members shall be appointed by the Speaker of the House of Representatives; and

BE IT FURTHER RESOLVED that the Joint Committee shall select either a chairperson or co-chairpersons, one of whom shall be a member of the Senate and one a member of the House of Representatives. A majority of the members shall constitute a quorum; and

BE IT FURTHER RESOLVED that meetings of the Joint Committee may be called at such time and place as the chairperson or co-chairpersons designate, but there shall be at least five meetings in sum, one being at each of the following locations: Kansas City, Hannibal, Saint Louis, Poplar Bluff, and Lake of the Ozarks; and

BE IT FURTHER RESOLVED that the staff of the Senate Research, House Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Joint Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Joint Committee, its members, and any staff assigned to the Joint Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Joint Committee; and

BE IT FURTHER RESOLVED that the chairperson or co-chairpersons of the Joint Committee shall call an organizational meeting within fifteen days of the adoption of this resolution; and

BE IT FURTHER RESOLVED that the Joint Committee shall terminate by either a majority of members voting for termination, or by December 31, 2014, whichever occurs first. On the date of termination, the Joint Committee shall deliver a report of findings and recommendations to the General Assembly; and

BE IT FURTHER RESOLVED that the Joint Committee is authorized to function during the legislative interim between the Second Regular Session of the Ninety-seventh General Assembly and the First Regular Session of the Ninety-eighth General Assembly through December 31, 2014, as authorized by State v. Atterbury, 300 S.W.2d 806 (Mo. 1957).

## INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

**SB 902**—By Munzlinger.

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to private nuisance actions.

**SB 903**—By Silvey.

An Act to amend chapter 139, RSMo, by adding thereto one new section relating to the assignment of



property tax liens.

**SB 904**—By Sifton.

An Act to repeal section 64.140, RSMo, and to enact in lieu thereof one new section relating to notice requirements for amendments to county zoning regulations.

**SB 905**—By Sater.

An Act to repeal section 375.020, RSMo, and to enact in lieu thereof one new section relating to life insurance producers.

**SB 906**—By Holsman.

An Act to repeal section 136.055, RSMo, and to enact in lieu thereof one new section relating to nonprofit fee offices.

**SB 907**—By Richard.

An Act to repeal section 165.011, RSMo, and to enact in lieu thereof one new section relating to safety-related capital projects for schools.

**SB 908**—By Schaefer.

An Act to repeal sections 172.030, 172.035, 172.040, and 172.060, RSMo, and to enact in lieu thereof four new sections relating to the University of Missouri board of curators.

**SB 909**—By Parson and Kehoe.

An Act to amend chapter 393, RSMo, by adding thereto one new section relating to cost recovery for electrical corporations.

### **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointment, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Kenneth Grissom, as a member of the Board of Boiler and Pressure Vessel Rules;

Also,

Michael Popp and Martha John as members of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects;

Also,

Laura Noren, as a member of the Missouri State Board of Nursing; and

Karen Pohlman Hess, Republican, and Terrence G. Klamet, Democrat, as members of the State Board of Podiatric Medicine.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion.

There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointment, which motion prevailed.

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SCS** for **SJR 36**; **SS** for **SB 537**; **SS** for **SB 668**; and **SS** for **SB 694**, begs leave to report that it has considered the same and recommends that the joint resolution and bills do pass.

### MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 19, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Mary D. Craig, 600 Lincoln Street, Green Castle, Sullivan County, Missouri 63544, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, Mary D. Craig, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 19, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Anna E. Crosslin, Democrat, 3651 Shenandoah, St. Louis City, Missouri 63110, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2019, and until her successor is duly appointed and qualified; vice, Anna E. Crosslin, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 19, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Bruce Darrough, Democrat, 3748 Cranberry Court, Florissant, St. Louis County, Missouri 63033, as a member of the Linn State Technical College Board of Regents, for a term ending December 29, 2013, and until his successor is duly appointed

and qualified; vice, Bruce Darrough, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 19, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Rhonda K. Haight, 12020 Northeast 148<sup>th</sup> Street, Liberty, Clay County, Missouri 64068, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2015, and until her successor is duly appointed and qualified; vice, Rhonda K. Haight, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 19, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Patricia L. Kohl, 2836 Manderly Drive, Brentwood, Saint Louis County, Missouri 63144, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, Patricia L. Kohl, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 19, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

William Miller, Democrat, 12502 Bielefeld Court, Black Jack, Saint Louis County, Missouri 63033, as a member of the Missouri Housing Development Commission, for a term ending October 13, 2017, and until his successor is duly appointed and qualified; vice, William Miller, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 19, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Larry B. Newcomb, 300 Chestnut Avenue, Webster Groves, Saint Louis County, Missouri 63119, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until his successor is duly appointed and qualified; vice, Larry B. Newcomb, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 19, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Judith Grace O'Connor, Democrat, 3321 Steeple Hill, Saint Charles, Saint Charles County, Missouri 63301, as a member of the Missouri Health Facilities Review Committee, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, Judith Grace O'Connor, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 19, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jill L. Patterson, 1741 East Briar Street, Springfield, Greene County, Missouri 65804, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2015, and until her successor is duly appointed and qualified; vice, Jill L. Patterson, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 19, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jennifer L. Schoonover, 9227 Southwest Josh Ridge Road, Trimble, Clinton County, Missouri 64492, as a member of the

Child Abuse and Neglect Review Board, for a term ending April 7, 2014, and until her successor is duly appointed and qualified; vice, Jennifer L. Schoonover, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 19, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Bryan T. Scott, Democrat, 4349 Washington Boulevard, St. Louis City, Missouri 63108, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2017, and until his successor is duly appointed and qualified; vice, Bryan T. Scott, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 19, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

James Kendall Seal, Democrat, 7845 Northwest Roanridge Drive, Apartment F, Kansas City, Platte County, Missouri 64151, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2019, and until his successor is duly appointed and qualified; vice, James Kendall Seal, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 19, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Deborah White, 4411 Southeast Highway 116, Dearborn, Buchanan County, Missouri 64439, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2015, and until her successor is duly appointed and qualified; vice, Deborah White, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 19, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

April S. Wilson, Rural Route 1 Box 165A, Memphis, Scotland County, Missouri 63555, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, April S. Wilson, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Dempsey referred the above appointments to the Committee on Gubernatorial Appointments.

**SENATE BILLS FOR PERFECTION**

Senator Brown moved that **SB 664**, with **SCS**, as amended (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Brown moved that **SCS** for **SB 664**, as amended, be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **SB 664**, as amended, was declared perfected and ordered printed.

Senator Wallingford moved that **SB 529**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 529**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 529**

An Act to repeal sections 34.057 and 107.170, RSMo, and to enact in lieu thereof two new sections relating to the payment of public works projects.

Was taken up.

Senator Wallingford moved that **SCS** for **SB 529** be adopted.

Senator Wallingford offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for Senate Bill No. 529, Page 7, Section 34.057, Line 199, by striking “2 and 5” and inserting in lieu thereof the following: “**2, 5, and 6**”; and further amend line 201, by striking “2 and 5” and inserting in lieu thereof the following: “**2, 5, and 6**”.

Senator Wallingford moved that the above amendment be adopted, which motion prevailed.

Senator Wallingford moved that **SCS** for **SB 529**, as amended, be adopted, which motion prevailed.

On motion of Senator Wallingford, **SCS** for **SB 529**, as amended, was declared perfected and ordered printed.

**THIRD READING OF SENATE BILLS**

**SCS** for **SJR 36**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE JOINT RESOLUTION NO. 36**

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 23 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the right of Missouri citizens to keep and bear arms.

Was taken up by Senator Schaefer.

On motion of Senator Schaefer, **SCS** for **SJR 36** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Keaveny
Kehoe	Kraus	Lager	Lamping	Libla	Munzlinger	Nieves	Parson
Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators

Curls	Justus	LeVota	Nasheed—4
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the joint resolution passed.

On motion of Senator Schaefer, title to the joint resolution was agreed to.

Senator Schaefer moved that the vote by which the joint resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 613**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 613**

An Act to repeal sections 1.320, 21.750, 571.030, 571.070, 571.101, 571.107, 571.111, 571.117, and 590.010, RSMo, and to enact in lieu thereof fourteen new sections relating to firearms, with penalty provisions and a contingent effective date for a certain section.

Was taken up by Senator Nieves.

On motion of Senator Nieves, **SCS** for **SB 613** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Emery	Kehoe	Kraus	Lager	Lamping
Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp

Sater                      Schaaf                      Schaefer                      Schmitt                      Silvey                      Wallingford                      Wasson—23

NAYS—Senators

Chappelle-Nadal    Curls                      Dixon                      Holsman                      Justus                      Keaveny                      LeVota                      Nasheed  
Sifton                      Walsh—10

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Nieves, title to the bill was agreed to.

Senator Nieves moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS for SB 492**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 492

An Act to amend chapter 163, RSMo, by adding thereto one new section relating to state funding for public institutions of higher education, with an emergency clause.

Was taken up by Senator Pearce.

On motion of Senator Pearce, **SCS for SB 492** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
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Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 609**, introduced by Senator Rupp, entitled:

An Act to repeal sections 379.011 and 379.012, RSMo, and to enact in lieu thereof two new sections relating to providing certain insurance documents through electronic means.

Was taken up.

On motion of Senator Rupp, **SB 609** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS** for **SB 694**, introduced by Senator Cunningham, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 694

An Act to repeal sections 408.500, 408.505, and 408.506, RSMo, and to enact in lieu thereof three new sections relating to unsecured loans of five hundred dollars or less, with penalty provisions.

Was taken up.

On motion of Senator Cunningham, **SS** for **SB 694** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Keaveny	Kehoe	Kraus	Lager
Libla	Munzlinger	Parson	Pearce	Richard	Romine	Rupp	Sater
Schmitt	Silvey	Wallingford	Wasson—20				

NAYS—Senators

Chappelle-Nadal	Curls	Emery	Holsman	Justus	Lamping	LeVota	Nasheed
Nieves	Schaaf	Schaefer	Sifton	Walsh—13			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS** for **SB 537**, introduced by Senator Rupp, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 537

An Act to repeal sections 382.010, 382.020, 382.040, 382.050, 382.060, 382.080, 382.095, 382.110, 382.170, 382.180, 382.190, 382.195, 382.220, and 382.230, RSMo, and to enact in lieu thereof seventeen new sections relating to regulating the business of insurance, with penalty provisions.

Was taken up.

On motion of Senator Rupp, **SS** for **SB 537** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator LeVota—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS** for **SB 668**, introduced by Senator Silvey, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 668

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to oral chemotherapy parity.

Was taken up.

On motion of Senator Silvey, **SS** for **SB 668** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Silvey, title to the bill was agreed to.

Senator Silvey moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 72**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing sections 24 and 27 of article IV of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to the governor's budgetary authority.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1412**, entitled:

An Act to repeal sections 400.9-501 and 400.9-516, RSMo, and to enact in lieu thereof two new sections relating to fraudulent financing statements, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **THIRD READING OF SENATE BILLS**

**SB 690**, introduced by Senator Wasson, entitled:

An Act to repeal sections 190.335 and 190.339, RSMo, and to enact in lieu thereof two new sections relating to emergency service boards.

Was called from the Consent Calendar and taken up.

On motion of Senator Wasson, **SB 690** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 527**, introduced by Senator Wallingford, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of medical radiation safety awareness day.

Was called from the Consent Calendar and taken up.

On motion of Senator Wallingford, **SB 527** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 614**, introduced by Senator Dixon, entitled:

An Act to repeal sections 476.445, 477.081, 477.082, 477.152, 477.160, 477.170, 477.180, 477.181, 477.190, 477.191, 478.430, and 478.433, RSMo, and to enact in lieu thereof three new sections relating to judicial personnel.

Was called from the Consent Calendar and taken up.

On motion of Senator Dixon, **SB 614** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 621**, introduced by Senator Dixon, entitled:

An Act to repeal sections 476.001, 476.320, 476.330, and 476.340, RSMo, and to enact in lieu thereof four new sections relating to the administration of justice.

Was called from the Consent Calendar and taken up.

On motion of Senator Dixon, **SB 621** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 520**, with **SCS**, introduced by Senator Sater, entitled:

An Act to repeal section 105.271, RSMo, and to enact in lieu thereof one new section relating to leave for public employees.

Was called from the Consent Calendar and taken up.

**SCS** for **SB 520**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 520

An Act to repeal section 105.271, RSMo, and to enact in lieu thereof one new section relating to leave

for public employees.

Was taken up.

Senator Sater moved that **SCS** for **SB 520** be adopted, which motion prevailed.

On motion of Senator Sater, **SCS** for **SB 520** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senator Lamping—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### CONCURRENT RESOLUTIONS

Senator Wallingford moved that **SCR 17** be taken up for adoption, which motion prevailed.

On motion of Senator Wallingford, **SCR 17** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senator Lamping—1

Vacancies—1

Senator Romine moved that **SCR 19** be taken up for adoption, which motion prevailed.

On motion of Senator Romine, **SCR 19** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senator Lamping—1

Vacancies—1

Senator Walsh moved that **SCR 20**, entitled:

Concurrent Resolution relating to recognition of September 26th as Mesothelioma Awareness Day in Missouri.

Be taken up for 3rd reading and final passage, which motion prevailed.

On motion of Senator Walsh, **SCR 20** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senator Lamping—1

Vacancies—1

The President declared the concurrent resolution passed.

On motion of Senator Walsh, title to the concurrent resolution was agreed to.

Senator Walsh moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Pearce moved that **SCR 21** be taken up for adoption, which motion prevailed.

On motion of Senator Pearce, **SCR 21** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
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Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senator Lamping—1

Vacancies—1

Senator Cunningham moved that **SCR 22** be taken up for adoption, which motion prevailed.

Senator Cunningham offered **SS** for **SCR 22**, entitled:

SENATE SUBSTITUTE FOR  
SENATE CONCURRENT RESOLUTION NO. 22

WHEREAS, in 1959, Senate Resolution No. 33 and House Resolution No. 19, recognizing the importance of the extraordinary manifestations of nature and recreational attributes of the Current and Jacks Fork Riverways, requested Congress to enact legislation to preserve the natural resources and provide recreational development and other improvements for the public use; and

WHEREAS, in 1964, Congress answered Missouri's request by enacting legislation to establish the Ozark National Scenic Riverways; and

WHEREAS, the riverways within the Ozark National Scenic Riverways are, and remain, public highways of the State of Missouri, subject to concurrent jurisdiction between the State of Missouri and the United States under Missouri Senate Bill No. 362 enacted in 1971; and

WHEREAS, in 2005, the National Park Service began researching for the purpose of drafting a new general management plan for the Ozark National Scenic Riverways; and

WHEREAS, the National Park Service is advocating the "Preferred Alternative" option of the general management plan; and

WHEREAS, the goal of the "Preferred Alternative" option of the general management plan is to shut down public access points to riverways, eliminate motorized boat traffic from certain areas, further restrict boat motor horsepower in other areas, close several gravel bars, and propose that additional areas be designated as federal wilderness; and

WHEREAS, the "No-Action Alternative" option of the general management plan is an appropriate balance between resource preservation and opportunities for recreational use; and

WHEREAS, the general management plan will guide decisions related to the Ozark National Scenic Riverways for the next 15 to 20 years; and

WHEREAS, tourism is one of the most critical components of our rural economy; and

WHEREAS, thousands of hikers, campers, boaters, hunters, fishermen, and horseback riders visit these areas annually generating irreplaceable tax revenue; and

WHEREAS, any further limitations on the access to these riverways would severely impact this local economy;

WHEREAS, the Missouri Conservation Commission is charged with the control, management, restoration, conservation, and regulation of bird, fish, game, forestry, and all wildlife resources of the state, including hatcheries, sanctuaries, refuges, reservations, and all other property owned, acquired, or used for such purposes; and

WHEREAS, in September of 2009, the Missouri Department of Conservation recommended that "hunting, fishing, and trapping continue to be allowed through the Ozark National Scenic Riverways except in highly developed areas where a reasonable safety zone for public protection may be required":

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby strongly urge the United States Department of the Interior National Park Service to pursue one of the following three options in regard to the Ozark National Scenic Riverways:

1. Choose the "No-Action Alternative" option of the general management plan;
2. Enter into negotiations with the State of Missouri, Department of Conservation for the return of the Ozark National Scenic Riverways

to the State of Missouri so that the land will continued to be used for its original and intended purpose; or

3. Enter into a contract with the State of Missouri, Department of Conservation for the management, operation, and maintenance of the Ozark National Scenic Riverways; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the President Pro Tempore of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the United States Department of the Interior, each member of the Missouri Congressional Delegation, the Director of the National Park Service, the Superintendent of the Ozark National Scenic Riverways, the Director of the Missouri Department of Conservation, and Governor Jay Nixon.

Senator Cunningham moved that **SS** for **SCR 22** be adopted, which motion prevailed.

On motion of Senator Cunningham, **SCR 22**, as amended by the **SS**, was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	LeVota	Nasheed	Sifton	Walsh—8
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Absent—Senator Justus—1

Absent with leave—Senator Lamping—1

Vacancies—1

Senator Wallingford moved that **SCR 29** be taken up for adoption, which motion prevailed.

On motion of Senator Wallingford, **SCR 29** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senator Lamping—1

Vacancies—1

President Pro Tem Dempsey assumed the Chair.

## REPORTS OF STANDING COMMITTEES

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 606**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 525**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 561**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 666**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 573**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 729**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 635**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **SJR 45**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 529** and **SCS** for **SB 664**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred

**SJR 42**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 735**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 504**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 575**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 643**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 734**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 612**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following report:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SB 600**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

### **REFERRALS**

President Pro Tem Dempsey referred **SCR 33** and **SCR 34** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1253** and **1297**, entitled:

An Act to repeal section 143.071, RSMo, and to enact in lieu thereof three new sections relating to the taxation of business income.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1295**, entitled:

An Act to repeal sections 143.011, 143.021, 143.071, and 143.151, RSMo, and to enact in lieu thereof five new sections relating to income taxes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Senator Pearce assumed the Chair.

### **SECOND READING OF SENATE BILLS**

The following Bills were read the 2nd time and referred to the Committees indicated:

**SB 805**—Seniors, Families and Pensions.

**SB 806**—Ways and Means.

**SB 807**—Judiciary and Civil and Criminal Jurisprudence.

**SB 808**—Financial and Governmental Organizations and Elections.

**SB 809**—Financial and Governmental Organizations and Elections.

**SB 810**—Transportation and Infrastructure.

**SB 811**—Veterans' Affairs and Health.

**SB 812**—Jobs, Economic Development and Local Government.

**SB 813**—Rules, Joint Rules, Resolutions and Ethics.

**SB 814**—Agriculture, Food Production and Outdoor Resources.

**SB 815**—Education.

**SB 816**—Veterans' Affairs and Health.

**SB 817**—Veterans' Affairs and Health.

**SB 818**—Transportation and Infrastructure.

**SB 819**—Governmental Accountability and Fiscal Oversight.

**SB 820**—Appropriations.

**SB 821**—Transportation and Infrastructure.

**SB 822**—Transportation and Infrastructure.

**SB 823**—Seniors, Families and Pensions.

**SB 824**—Judiciary and Civil and Criminal Jurisprudence.

**SB 825**—Education.

**SB 826**—Governmental Accountability and Fiscal Oversight.

**SB 827**—Progress and Development.

**SB 828**—Veterans' Affairs and Health.

**SB 829**—Ways and Means.

**SB 830**—Small Business, Insurance and Industry.

### **RESOLUTIONS**

Senator Wasson offered Senate Resolution No. 1425, regarding Erik Michael Way, which was adopted.

Senator Wasson offered Senate Resolution No. 1426, regarding Brandon James Burks, which was adopted.

Senator Keaveny offered Senate Resolution No. 1427, regarding Sarah Casteel, Clayton, which was adopted.

Senator Sater offered Senate Resolution No. 1428, regarding Tim Houtchens, Branson, which was adopted.

Senator Kraus offered Senate Resolution No. 1429, regarding Maryn White, Lee's Summit, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Libla introduced to the Senate, Todd Allen, and students from Three Rivers College, Poplar Bluff.

Senator LeVota introduced to the Senate, Cindy McClain, Jonathan Zerr, Allen Garner, Jodi Krantz, Kim Kimbrough and Mike Chambers, members of the Independence Chamber of Commerce.

Senator Walsh introduced to the Senate, Andy Marso.

Senator Schaaf introduced to the Senate, teachers Kristy Lorenz, Vicki Murphy and Gary Murphy; students Rylee Alden, Mason Murphy, Dayne Koch and Allison Murphy; John and Sharon Murphy; and Jennifer Koch, St. Joseph; and Rylee, Mason, Dayne and Allison were made honorary pages.

Senator Schaaf introduced to the Senate, Amy Fisher, and her children, Cora, Wyatt, Miles and Charlotte, St. Joseph; and Cora, Wyatt, Miles and Charlotte were made honorary pages.

On behalf of Senators Munzlinger, Wallingford and himself, Senator Sifton introduced to the Senate, Dylan Kriegshauser, Kirksville; and Hayley Bohnert, Jackson.

Senator Schaefer introduced to the Senate, Jim and Andrew Beaty, Columbia; and Andrew was made an honorary page.

Senator Richard introduced to the Senate, Todd Masters, Wyatt Shadwick and Jackie Ousburne, Neosho.

Senator Nasheed introduced to the Senate, Ida Ford, St. Louis.

On behalf of Senator Kehoe, the President introduced to the Senate, John Dolan, St. Louis.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, February 24, 2014.

SENATE CALENDAR

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TWENTY-SIXTH DAY—MONDAY, FEBRUARY 24, 2014

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 831-Wallingford	SB 863-Emery
SB 832-Walsh	SB 864-Schaaf
SB 833-Walsh	SB 865-Nieves
SB 834-Walsh	SB 866-Wasson
SB 835-Munzlinger	SB 867-Wasson
SB 836-Munzlinger	SB 868-Sater
SB 837-Sifton	SB 869-Schmitt
SB 838-Emery	SB 870-Holsman
SB 839-Sater	SB 871-Holsman
SB 840-Pearce	SB 872-Wallingford and Justus
SB 841-Wasson	SB 873-Brown
SB 842-Parson	SB 874-Wasson
SB 843-Schaefer	SB 875-Sater
SB 844-Dixon	SB 876-LeVota
SB 845-Chappelle-Nadal	SB 877-Kraus
SB 846-Richard	SB 878-Lamping
SB 847-Schaaf	SB 879-Sifton
SB 848-LeVota	SB 880-Sifton
SB 849-Walsh	SB 881-Sifton
SB 850-Munzlinger	SB 882-Brown
SB 852-Schmitt	SB 883-Wasson
SB 853-Wasson	SB 884-Wallingford
SB 854-Wasson	SB 885-Pearce
SB 855-Schaefer	SB 886-Schaefer
SB 856-Emery	SB 887-Schaefer
SB 857-Holsman	SB 888-Parson
SB 858-Kraus	SB 889-Parson
SB 859-Brown	SB 890-Kehoe
SB 860-Cunningham	SB 891-Kehoe
SB 861-Schaefer	SB 892-Kraus
SB 862-Lager	SB 893-Kraus

SB 894-Munzlinger  
 SB 895-Sater  
 SB 896-Wallingford  
 SB 897-Wallingford  
 SB 898-Schaefer  
 SB 899-Justus and Schaaf  
 SB 900-Lamping  
 SB 901-Holsman  
 SB 902-Munzlinger

SB 903-Silvey  
 SB 904-Sifton  
 SB 905-Sater  
 SB 906-Holsman  
 SB 907-Richard  
 SB 908-Schaefer  
 SB 909-Parson and Kehoe  
 SJR 49-Cunningham

### HOUSE BILLS ON SECOND READING

HB 1430-Jones (110), et al  
 HCS for HB 1058  
 HB 1133-Engler, et al  
 HCS for HB 1051  
 HJR 48-Solon, et al

HJR 72-Richardson, et al  
 HCS for HB 1412  
 HCS for HBs 1253 & 1297  
 HCS for HB 1295

### THIRD READING OF SENATE BILLS

SCS for SB 529-Wallingford

SCS for SB 664-Brown

### SENATE BILLS FOR PERFECTION

1. SB 491-Justus and Dixon, with SCS
2. SB 543-Munzlinger
3. SB 567-Chappelle-Nadal, with SCS
4. SB 525-Cunningham and Silvey
5. SB 561-Munzlinger
6. SB 666-Schmitt, with SCS
7. SJR 45-Silvey, with SCS

8. SJR 42-Schmitt
9. SB 735-Brown, with SCS
10. SB 504-Munzlinger
11. SB 575-Dixon
12. SB 643-Rupp, with SCS
13. SB 612-Schaaf, with SCS

### INFORMAL CALENDAR

### SENATE BILLS FOR PERFECTION

SBs 509 & 496-Kraus, with SCS & SA 1  
 (pending)

SB 518-Sater, with SCS, SA 2 & SA 1 to  
 SA 2 (pending)



SB 519-Sater, with SS & SA 1 (pending)  
SB 530-Libla, with SCS (pending)

SB 663-Munzlinger, with SCS

CONSENT CALENDAR

Senate Bills

Reported 2/20

SB 606-Dixon  
SB 573-Munzlinger, with SCS  
SB 729-Romine, with SCS

SB 635-Silvey and Holsman, with SCS  
SB 734-Cunningham  
SB 600-Sater

RESOLUTIONS

To be Referred

SCR 35-Holsman

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# Journal of the Senate

## SECOND REGULAR SESSION

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**TWENTY-SIXTH DAY—MONDAY, FEBRUARY 24, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“You shall be holy, for I the Lord your God am holy.” (Leviticus 19:1)

Lord God, You have set us aside to be a people who are forgiven and who transformed our words and actions to be like Yours. Yet we know we cannot be perfect and fall short of what You expect. So we ask for Your mercy and grace that we might go forth into this week to be a people of peace and love as we have been loved. And may it be found in our voice and action in this place and time. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 20, 2014 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Libla	Munzlinger
Nasheed	Nieves	Parson	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

Absent—Senators—None

Absent with leave—Senators

LeVota      Pearce—2

Vacancies—1

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Keaveny offered Senate Resolution No. 1430, regarding Julius Watkins, Saint Louis, which was

adopted.

Senator Wallingford offered Senate Resolution No. 1431, regarding Drs. Mary Ann and Bert Kellerman, which was adopted.

Senator Sifton offered Senate Resolution No. 1432, regarding Kevin Amsler, which was adopted.

Senator Kehoe offered Senate Resolution No. 1433, regarding the Missouri Donated Dental Services program, which was adopted.

Senator Schmitt offered Senate Resolution No. 1434, regarding L. John Schott, AIA, which was adopted.

Senator Schmitt offered Senate Resolution No. 1435, regarding Melissa Garnett, which was adopted.

Senator Lager offered Senate Resolution No. 1436, regarding Jacy Valentine, Unionville, which was adopted.

Senator Sifton offered Senate Resolution No. 1437, regarding Mark Trout, which was adopted.

Senators Keaveny and Schmitt offered Senate Resolution No. 1438, regarding Colin Patrick Hooch, Shrewsbury, which was adopted.

Senator Richard offered Senate Resolution No. 1439, regarding Jo Ann Radetic, which was adopted.

Senator Schmitt offered Senate Resolution No. 1440, regarding Herbert Frederick Mahler, Fenton, which was adopted.

Senator Lamping offered Senate Resolution No. 1441, regarding Orlin Hoyd Clark, Jr., Saint Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 1442, regarding Sarah Eisenman, Saint Louis, which was adopted.

Senator Brown offered Senate Resolution No. 1443, regarding Harold W. Anway, Jr., Lake Ozark, which was adopted.

Senator Brown offered Senate Resolution No. 1444, regarding Butch Daniels, which was adopted.

### **INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 910**—By Schaaf.

An Act to repeal section 192.667, RSMo, and to enact in lieu thereof one new section relating to infection reporting, with existing penalty provisions.

**SB 911**—By Libla.

An Act to repeal section 569.130, RSMo, and to enact in lieu thereof one new section relating to the ability of tenants to inject the issue of claim of right.

**SB 912**—By Wasson.

An Act to repeal sections 348.250, 348.253, 348.257, 348.265, 348.269, section 348.251 as enacted by

senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, section 348.251 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill nos 1248 & 1048, eighty-seventh general assembly, second regular session, section 348.256 as enacted by senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, section 348.256 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 414, eighty-eighth general assembly, first regular session, section 348.261 as enacted by senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, section 348.261 as enacted by senate committee substitute for house committee substitute for house bill no. 574, eighty-eighth general assembly, first regular session, section 348.262 as enacted by senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, section 348.262 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill nos 1248 & 1048, eighty-seventh general assembly, second regular session, section 348.263 as enacted by senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, section 348.263 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill nos 1248 & 1048, eighty-seventh general assembly, second regular session, section 348.264 as enacted by senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, section 348.264 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 414, eighty-eighth general assembly, first regular session, section 348.271 as enacted by senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, section 348.300 as enacted by senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, and section 348.300 as enacted by senate committee substitute for house committee substitute for house bill no. 1, ninety-fourth general assembly, first extraordinary session, RSMo, and to enact in lieu thereof ten new sections relating to the Missouri technology corporation.

**SB 913**—By Wasson and Cunningham.

An Act to repeal section 448.3-116, RSMo, and to enact in lieu thereof one new section relating to assessments on condominiums.

**SB 914**—By Munzlinger.

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to the crime of unlawful placement of sediment, with a penalty provision.

**SB 915**—By Dixon.

An Act to amend chapter 488, RSMo, by adding thereto one new section relating to a surcharge for the construction of judicial facilities.

**SB 916**—By Wallingford.

An Act to repeal sections 1.302 and 1.307, RSMo, and to enact in lieu thereof one new section relating to the exercise of religion.

**SB 917**—By Richard.

An Act to repeal section 620.1900, RSMo, and to enact in lieu thereof one new section relating to a fee for issuance of tax credits.

Photographers from the Mizzou Network were given permission to take pictures in the Senate Chamber.

### **MESSAGES FROM THE GOVERNOR**

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 20, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Bruce Darrough as a member of the Linn State Technical College Board of Regents, submitted to you on February 19, 2014. Line 3 should be amended to read:

term ending December 29, 2019, and until his successor is duly appointed and qualified;

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Dempsey referred the above addendum to the Committee on Gubernatorial Appointments.

President Pro Tem Dempsey assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

On behalf of Senator Pearce, Chairman of the Committee on Education, Senator Romine submitted the following report:

Mr. President: Your Committee on Education, to which were referred **SB 493**, **SB 485**, **SB 495**, **SB 516**, **SB 534**, **SB 545**, **SB 595**, **SB 616** and **SB 624** begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

### **SENATE BILLS FOR PERFECTION**

At the request of Senator Justus, **SB 491**, with **SCS**, was placed on the Informal Calendar.

Senator Munzlinger moved that **SB 543** be taken up for perfection, which motion prevailed.

Senator Munzlinger offered **SS** for **SB 543**, entitled:

#### **SENATE SUBSTITUTE FOR SENATE BILL NO. 543**

An Act to repeal section 137.021, RSMo, and to enact in lieu thereof one new section relating to agricultural land values.

Senator Munzlinger moved that **SS** for **SB 543** be adopted, which motion prevailed.

Senator Kraus assumed the Chair.

At the request of Senator Munzlinger, **SS** for **SB 543** was placed on the Informal Calendar.

Senator Chappelle-Nadal moved that **SB 567**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 567**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 567

An Act to repeal sections 660.400, 660.403, 660.405, 660.407, 660.409, 660.411, 660.414, 660.416, 660.418, and 660.420, RSMo, and to enact in lieu thereof sixteen new sections relating to adult day care, with penalty provisions.

Was taken up.

Senator Chappelle-Nadal moved that **SCS** for **SB 567** be adopted.

Senator Chappelle-Nadal offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 567, Page 4, Section 660.403, Line 61, by striking the word “division” and inserting in lieu thereof the word “**department**”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal moved that **SCS** for **SB 567**, as amended, be adopted, which motion prevailed.

On motion of Senator Chappelle-Nadal, **SCS** for **SB 567**, as amended, was declared perfected and ordered printed.

Senator Cunningham moved that **SB 525** be taken up for perfection, which motion prevailed.

Senator Cunningham offered **SS** for **SB 525**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 525

An Act to amend chapter 196, RSMo, by adding thereto two new sections relating to the preparation of food preparation.

Senator Cunningham moved that **SS** for **SB 525** be adopted.

Senator Cunningham offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 525, Page 1, In the Title, Lines 3-4, by striking the words “the preparation of food preparation” and inserting in lieu thereof the following: “food safety”.

Senator Cunningham moved that the above amendment be adopted, which motion prevailed.

Senator Cunningham moved that **SS** for **SB 525**, as amended, be adopted, which motion prevailed.

On motion of Senator Cunningham, **SS** for **SB 525**, as amended, was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 561** be taken up for perfection, which motion prevailed.

On motion of Senator Munzlinger, **SB 561** was declared perfected and ordered printed.

Senator Schmitt moved that **SB 666**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 666**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 666

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to a tax credit for residential real property owners.

Was taken up.

Senator Schmitt moved that **SCS** for **SB 666** be adopted, which motion prevailed.

On motion of Senator Schmitt, **SCS** for **SB 666** was declared perfected and ordered printed.

Senator Silvey moved that **SJR 45**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SJR 45**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE JOINT RESOLUTION NO. 45

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 27 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the ability of the governor to control the rate of and reduce expenditures.

Was taken up.

Senator Silvey moved that **SCS** for **SJR 45** be adopted, which motion prevailed.

On motion of Senator Silvey, **SCS** for **SJR 45** was declared perfected and ordered printed.

**REFERRALS**

President Pro Tem Dempsey referred **SCR 35** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Dempsey referred **SCS** for **SB 664** to the Committee on Governmental Accountability and Fiscal Oversight.

**COMMUNICATIONS**

President Pro Tem Dempsey submitted the following:

February 24, 2014

Terry Spieler  
Secretary of the Senate  
State Capitol Building  
Jefferson City, MO 65101

Dear Ms. Spieler,

I am appointing Senator Gina Walsh to the Missouri Lead Industry Employment, Economic Development and Environmental Remediation

Task Force. If you have any questions, please do not hesitate to contact my office.

Sincerely,



Tom Dempsey  
President Pro Tem

## INTRODUCTIONS OF GUESTS

Senator Schaefer introduced to the Senate, the 2013 University of Missouri - Columbia volleyball team.

Senator Keaveny introduced to the Senate, Joshua Temple, St. Louis.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Tuesday, February 25, 2014.

## SENATE CALENDAR

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TWENTY-SEVENTH DAY—TUESDAY, FEBRUARY 25, 2014

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## FORMAL CALENDAR

## SECOND READING OF SENATE BILLS

SB 831-Wallingford

SB 832-Walsh

SB 833-Walsh

SB 834-Walsh

SB 835-Munzlinger

SB 836-Munzlinger

SB 837-Sifton

SB 838-Emery

SB 839-Sater

SB 840-Pearce

SB 841-Wasson

SB 842-Parson

SB 843-Schaefer

SB 844-Dixon

SB 845-Chappelle-Nadal

SB 846-Richard

SB 847-Schaaf

SB 848-LeVota

SB 849-Walsh

SB 850-Munzlinger

SB 852-Schmitt

SB 853-Wasson

SB 854-Wasson

SB 855-Schaefer

SB 856-Emery

SB 857-Holsman

SB 858-Kraus

SB 859-Brown

SB 860-Cunningham

SB 861-Schaefer

SB 862-Lager

SB 863-Emery

SB 864-Schaaf

SB 865-Nieves



SB 866-Wasson	SB 893-Kraus
SB 867-Wasson	SB 894-Munzlinger
SB 868-Sater	SB 895-Sater
SB 869-Schmitt	SB 896-Wallingford
SB 870-Holsman	SB 897-Wallingford
SB 871-Holsman	SB 898-Schaefer
SB 872-Wallingford and Justus	SB 899-Justus and Schaaf
SB 873-Brown	SB 900-Lamping
SB 874-Wasson	SB 901-Holsman
SB 875-Sater	SB 902-Munzlinger
SB 876-LeVota	SB 903-Silvey
SB 877-Kraus	SB 904-Sifton
SB 878-Lamping	SB 905-Sater
SB 879-Sifton	SB 906-Holsman
SB 880-Sifton	SB 907-Richard
SB 881-Sifton	SB 908-Schaefer
SB 882-Brown	SB 909-Parson and Kehoe
SB 883-Wasson	SB 910-Schaaf
SB 884-Wallingford	SB 911-Libla
SB 885-Pearce	SB 912-Wasson
SB 886-Schaefer	SB 913-Wasson and Cunningham
SB 887-Schaefer	SB 914-Munzlinger
SB 888-Parson	SB 915-Dixon
SB 889-Parson	SB 916-Wallingford
SB 890-Kehoe	SB 917-Richard
SB 891-Kehoe	SJR 49-Cunningham
SB 892-Kraus	

#### HOUSE BILLS ON SECOND READING

HB 1430-Jones (110), et al	HJR 72-Richardson, et al
HCS for HB 1058	HCS for HB 1412
HB 1133-Engler, et al	HCS for HBs 1253 & 1297
HCS for HB 1051	HCS for HB 1295
HJR 48-Solon, et al	

#### THIRD READING OF SENATE BILLS

SCS for SB 529-Wallingford	SCS for SB 664-Brown (In Fiscal Oversight)
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SENATE BILLS FOR PERFECTION

SJR 42-Schmitt  
SB 735-Brown, with SCS  
SB 504-Munzlinger  
SB 575-Dixon

SB 643-Rupp, with SCS  
SB 612-Schaaf, with SCS  
SBs 493, 485, 495, 516, 534, 545,  
595, 616 & 624-Pearce, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 491-Justus and Dixon, with SCS  
SBs 509 & 496-Kraus, with SCS & SA 1  
(pending)  
SB 518-Sater, with SCS, SA 2 & SA 1 to  
SA 2 (pending)

SB 519-Sater, with SS & SA 1 (pending)  
SB 530-Libla, with SCS (pending)  
SS for SB 543-Munzlinger  
SB 663-Munzlinger, with SCS

CONSENT CALENDAR

Senate Bills

Reported 2/20

SB 606-Dixon  
SB 573-Munzlinger, with SCS  
SB 729-Romine, with SCS

SB 635-Silvey and Holsman, with SCS  
SB 734-Cunningham  
SB 600-Sater

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# Journal of the Senate

## SECOND REGULAR SESSION

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**TWENTY-SEVENTH DAY—TUESDAY, FEBRUARY 25, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“I will sing of loyalty and of justice to you, O Lord, I will sing.” (Psalm 101:1)

Holy God, give us such a hunger and thirst for justice and perseverance in striving for peace, that in our words and deeds the world may see our love of You. Continue to uphold in this body a seeking for wisdom and faithfulness of action that others may know that we have made our dwelling with You, our God. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

**Present—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

**Absent—Senators—None**

**Absent with leave—Senator LeVota—1**

**Vacancies—1**

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Sater offered Senate Resolution No. 1445, regarding the Honorable Victor Head, Monett, which was adopted.

Senator Sater offered Senate Resolution No. 1446, regarding the Honorable Andrew Hager, Shell Knob, which was adopted.

Senator Sater offered Senate Resolution No. 1447, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Robert Ricky, Golden, which was adopted.

Senator Keaveny offered Senate Resolution No. 1448, regarding Robert Eugene Taylor, Saint Louis, which was adopted.

Senator Lager offered Senate Resolution No. 1449, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Michael Thomson, Maryville, which was adopted.

Senator Lager offered Senate Resolution No. 1450, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Marvin Morrison, Savannah, which was adopted.

Senator Kehoe offered Senate Resolution No. 1451, regarding William Henry Wibberg, III, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 1452, regarding Francis A. “Bud” Jones, Jefferson City, which was adopted.

Senator Schaefer offered Senate Resolution No. 1453, regarding Hannah Reese, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 1454, regarding Jeanette Rimbey, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 1455, regarding Paige Martz, Prairie View, Kansas, which was adopted.

Senator Schaefer offered Senate Resolution No. 1456, regarding Kati Seitz, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 1457, regarding Che-Min Su, Columbia, which was adopted.

Senator Cunningham offered Senate Resolution No. 1458, regarding Forrest Farm, Wright County, which was adopted.

Senator Cunningham offered Senate Resolution No. 1459, regarding Blackwell Farm, Wright County, which was adopted.

On behalf of Senator LeVota, Senator Justus offered Senate Resolution No. 1460, regarding Denis and Jane Kweri, Kansas City, which was adopted.

### **CONCURRENT RESOLUTIONS**

Senator Wasson offered the following concurrent resolution:

#### **SENATE CONCURRENT RESOLUTION NO. 36**

WHEREAS, Multiple Sclerosis (MS) is a chronic, often disabling disease that attacks the central nervous system, which is comprised of the brain, spinal cord, and optic nerves. MS damages the nerve-insulating myelin sheath that surrounds and protects the brain. The damage to the myelin sheath slows down or blocks messages between the brain and the body; and

WHEREAS, the cause of MS remains unknown; however, having a first-degree relative, such as a parent or sibling, with MS significantly increases a person's risk of developing the disease. According to the National Institute of Neurological Disorders and Stroke, it is estimated that there are approximately 250,000 to 350,000 persons in the United States who are diagnosed with MS. This estimate suggests that approximately 200 new cases are diagnosed each week; and

WHEREAS, it is in the public interest for the state to establish a Multiple Sclerosis Task Force in order to identify and address the unmet needs of persons with MS, and develop ways to enhance their quality of life:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby create the Missouri Multiple Sclerosis Task Force; and

BE IT FURTHER RESOLVED that the mission of the Task Force shall be to fully consider and make recommendations in a report to the General Assembly on:

(1) Developing strategies to identify and address the unmet needs of persons with MS in order to enhance the quality of life of persons with MS by maximizing productivity and independence, and addressing the emotional, social, and vocational challenges of persons with MS; and

(2) Developing strategies to provide persons with MS greater access to various treatments and other therapeutic options that may be available; and

BE IT FURTHER RESOLVED that the Task Force shall consist of the following members:

(1) Two members of the Senate, one to be appointed by the President Pro Tempore of the Senate and one to be appointed by the Minority Leader of the Senate;

(2) Two members of the House of Representatives, one to be appointed by the Speaker of the House of Representatives and one to be appointed by the Minority Leader of the House of Representatives;

(3) The Director of the Department of Health and Senior Services, or his or her designee, to serve as a member and provide technical assistance to the task force;

(4) Two neurologists licensed to practice in this state, with one appointed by the President Pro Tempore of the Senate and one appointed by the Speaker of the House of Representatives, from a list of recommendations by the Department of Health and Senior Services;

(5) Two Missouri regional members of a national organization with experience in helping people affected by MS through funding cutting-edge research, driving change through advocacy, facilitating professional education and providing programs and services that help people and the families living with MS, with one appointed by the President Pro Tempore of the Senate and one appointed by the Speaker of the House of Representatives, from a list of recommendations by the Department of Health and Senior Services;

(6) Two persons who represent agencies that provide services or supports to individuals with MS in this state, with one appointed by the President Pro Tempore of the Senate and one appointed by the Speaker of the House of Representatives, from a list of recommendations by the Department of Health and Senior Services;

(7) Two persons who have MS, with one appointed by the President Pro Tempore of the Senate and one appointed by the Speaker of the House of Representatives, from a list of recommendations by the Department of Health and Senior Services; and

BE IT FURTHER RESOLVED that the staffs of Senate Research, House Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Task Force may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Task Force will report its recommendations and findings to the Missouri General Assembly by January 15, 2015; and

BE IT FURTHER RESOLVED that the Task Force shall terminate by either a majority of members voting for termination, or by February 1, 2015, whichever occurs first; and

BE IT FURTHER RESOLVED that the Multiple Sclerosis Task Force is authorized to function during the legislative interim between the Second Regular Session of the Ninety-seventh General Assembly and the First Regular Session of the Ninety-eighth General Assembly through January 1, 2015, as authorized by State v. Atterbury, 300 S.W.2d 806 (Mo. 1957); and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Director of the Department of Health and Senior Services.

**INTRODUCTION OF BILLS**

The following Bills and Joint Resolutions were read the 1st time and ordered printed:

**SB 918**—By Holsman.

An Act to repeal sections 191.630, 191.631, 192.800, 192.802, 192.804, 192.806, and 192.808, RSMo, and to enact in lieu thereof two new sections relating to communicable disease.

**SB 919**—By Justus.

An Act to repeal section 213.111, RSMo, and to enact in lieu thereof one new section relating to the right to bring suit under the Human Rights Act.

**SB 920**—By Munzlinger.

An Act to repeal sections 413.225 and 413.226, RSMo, and to enact in lieu thereof two new sections relating to vehicle fueling devices.

**SB 921**—By Schaaf.

An Act to amend chapter 195, RSMo, by adding thereto six new sections relating to a prescription drug monitoring program, with penalty provisions.

**SB 922**—By Schaaf.

An Act to repeal sections 135.350, 135.352, 253.550, 253.557, and 253.559, RSMo, and to enact in lieu thereof five new sections relating to tax credits.

**SB 923**—By Emery.

An Act to repeal sections 135.350, 135.352, 253.550, 253.557, and 253.559, RSMo, and to enact in lieu thereof five new sections relating to tax credits.

**SB 924**—By Emery.

An Act to repeal section 29.230, RSMo, and to enact in lieu thereof one new section relating to audits of political subdivisions.

**SB 925**—By Emery.

An Act to amend chapter 104, RSMo, by adding thereto one new section relating to retirement benefits for elected officials.

**SB 926**—By Sater.

An Act to repeal section 89.320, RSMo, and to enact in lieu thereof one new section relating to qualifications for members of municipal planning commissions.

**SB 927**—By Lamping.

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to restricting members of the general assembly from becoming lobbyists.

**SB 928**—By Lamping.

An Act to repeal sections 104.1072, 104.1075, and 104.1084, RSMo, and to enact in lieu thereof four new sections relating to employee benefits of general assembly members.

**SB 929**—By Lamping.

An Act to amend chapter 104, RSMo, by adding thereto one new section relating to retirement benefits for statewide elected officials.

**SB 930**—By Lamping.

An Act to repeal sections 26.220, 26.225, 115.237, 115.239, 115.307, 115.515, and 115.517, RSMo, and to enact in lieu thereof ten new sections relating to the joint election of governor and lieutenant governor, with a contingent effective date.

**SB 931**—By Nieves.

An Act to repeal sections 161.022 and 161.032, RSMo, and to enact in lieu thereof two new sections relating to the state board of education, with a contingent effective date.

**SB 932**—By Nieves.

An Act to repeal section 161.094, RSMo, and to enact in lieu thereof one new section relating to high school equivalency examinations.

**SB 933**—By Nieves.

An Act to repeal sections 184.116, 184.119, 184.122, 184.384, 407.010, 407.020, and 407.453, RSMo, and to enact in lieu thereof eight new sections relating to museums, with penalty provisions.

**SJR 50**—By Lamping.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 17 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to elective state officers.

**SJR 51**—By Lamping.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 8 of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to term limits for members of the general assembly.

**SJR 52**—By Lamping.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2 and 9 of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to members of the House of Representatives.

**SJR 53**—By Lamping.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 20, 20(a), 22, 25, and 32 of article III of the Constitution of Missouri, and adopting five new sections in lieu thereof relating to the adjournment of the legislative session.

**SJR 54**—By Lamping.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article IX of the Constitution of Missouri relating to state funding for elementary and secondary education.

**SJR 55**—By Nieves.

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 2(a) of article IX of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the election of members to the state board of education.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 729**, with **SCS**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 635**, with **SCS**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 734**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 573**, with **SCS**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 561**; **SS** for **SB 525**; **SCS** for **SJR 45**; **SCS** for **SB 567**; and **SCS** for **SB 666**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### **REFERRALS**

President Pro Tem Dempsey referred **SCS** for **SB 666**; **SCS** for **SJR 45**; and **SCS** for **SB 567** to the Committee on Governmental Accountability and Fiscal Oversight.

### **SENATE BILLS FOR PERFECTION**

At the request of Senator Schmitt, **SJR 42** was placed on the Informal Calendar.

At the request of Senator Brown, **SB 735**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Munzlinger, **SB 504** was placed on the Informal Calendar.

At the request of Senator Dixon, **SB 575** was placed on the Informal Calendar.

**SB 643**, with **SCS**, was placed on the Informal Calendar.



At the request of Senator Schaaf, **SB 612**, with **SCS**, was placed on the Informal Calendar.

Senator Pearce moved that **SB 493, SB 485, SB 495, SB 516, SB 534, SB 545, SB 595, SB 616** and **SB 624**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SBs 493, 485, 495, 516, 534, 545, 595, 616** and **624**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILLS NOS. 493, 485, 495, 516,  
534, 545, 595, 616 and 624

An Act to repeal sections 162.081, 163.021, 167.121, 167.131, and 171.031, RSMo, and to enact in lieu thereof twenty-six new sections relating to elementary and secondary education, with an emergency clause.

Was taken up.

Senator Pearce moved that **SCS** for **SBs 493, 485, 495, 516, 534, 545, 595, 616** and **624** be adopted.

Senator Dixon assumed the Chair.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

Senator Nasheed offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 16, Section 167.687, Line 20, by striking the semicolon “;” and inserting in lieu thereof a period “.”; and further amend lines 21-29, by striking all of said lines; and

Further amend said bill and section, Page 17, Lines 30-32, by striking said lines; and further amend said section by renumbering the remaining subsections accordingly.

Senator Nasheed moved that the above amendment be adopted, which motion prevailed on a standing division vote.

At the request of Senator Pearce, **SB 493, SB 485, SB 495, SB 516, SB 534, SB 545, SB 595, SB 616** and **SB 624**, with **SCS**, as amended (pending), were placed on the Informal Calendar.

President Pro Tem Dempsey assumed the Chair.

**REPORTS OF STANDING COMMITTEES**

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 635**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On motion of Senator Richard, the Senate recessed until 8:00 p.m.

**RECESS**

The time of recess having expired, the Senate was called to order by Senator Kehoe.

**SENATE BILLS FOR PERFECTION**

Senator Pearce moved that **SB 493, SB 485, SB 495, SB 516, SB 534, SB 545, SB 595, SB 616 and SB 624**, with **SCS**, as amended (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Pearce offered **SA 2**:

**SENATE AMENDMENT NO. 2**

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 22, Section 167.827, Line 15, by striking the following: “between January first and August” and inserting in lieu thereof the following: “**by February**”.

Senator Pearce moved that the above amendment be adopted.

Senator Romine assumed the Chair.

Senator Emery offered **SSA 1** for **SA 2**, which was read:

**SENATE SUBSTITUTE AMENDMENT NO. 1 FOR  
SENATE AMENDMENT NO. 2**

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 22, Section 167.827, Lines 15-16, by striking the words “between January first and August first” and inserting in lieu thereof the following: “**by April first**”.

Senator Emery moved that the above substitute amendment be adopted.

Senator Dempsey offered **SA 1** to **SSA 1** for **SA 2**, which was read:

**SENATE AMENDMENT NO. 1 TO  
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR  
SENATE AMENDMENT NO. 2**

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 2 to Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 1, Line 3, by striking the word “April” and inserting in lieu thereof the word “**March**”.

Senator Dempsey moved that the above amendment be adopted, which motion prevailed.

**SSA 1** for **SA 2**, as amended, was again taken up.

Senator Emery moved that the above substitute amendment be adopted, which motion prevailed.

Senator Holsman offered **SA 3**:

**SENATE AMENDMENT NO. 3**

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 8, Section 162.1310, Line 7, by striking the first use of “district,” and inserting in lieu thereof the following: “**district or**”; and further amend lines 7-8 by striking the following: “or to a private nonsectarian school,”; and

Further amend said bill, Pages 8-11, Section 163.021, by striking all of said section from the bill; and

Further amend said bill, Page 20, Section 167.826, Lines 6-7, by striking the following: “or may enroll in a nonsectarian private school as provided in section 167.828”; and further amend lines 9-11, by striking the following: “If a student enrolls in a nonsectarian private school, the student's district of residence shall pay the student's tuition as provided in section 167.828.”; and further amend lines 12-13 by striking the following: “or to a nonsectarian private school”; and

Further amend said bill, Page 23, Section 167.828, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Holsman moved that the above amendment be adopted.

Senator Dempsey offered **SSA 1** for **SA 3**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR  
SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 23, Section 167.828, Line 11, by inserting after all of said line the following:

**“3. A nonsectarian private school shall qualify to receive tuition payments under this section only if it satisfies the following conditions:**

**(1) It is accredited by the North Central Association Commission on Accreditation and School Improvement or demonstrates similar academic quality credentials to the department of elementary and secondary education; and**

**(2) It administers the statewide assessments in English language arts and mathematics for transfer students and collects, compiles, and reports the data from the administration of the assessments in the same manner as used for students enrolled in school districts.”;** and further amend said section by renumbering the remaining subsections accordingly.

Senator Dempsey moved that the above substitute amendment be adopted.

Senator Holsman offered **SA 1** to **SSA 1** for **SA 3**, which was read:

SENATE AMENDMENT NO. 1 TO  
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR  
SENATE AMENDMENT NO. 3

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 3 to Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 1, Line 14, by inserting after “districts.” the following:

**“4. Notwithstanding the provisions of subsection 1 of this section, no school district shall be required to pay tuition to a private nonsectarian school unless:**

**(1) The district’s school board votes, by a majority vote, to authorize the payment of tuition; or**

**(2) If the state board of education has appointed a special administrative board to govern the district or determined an alternative governing structure for the district under section 162.081, a**

**majority vote to authorize the payment of tuition by the special administrative board or alternative governing structure.”.**

Senator Holsman moved that the above amendment be adopted, which motion failed on a standing division vote.

**SSA 1 for SA 3** was again taken up.

At the request of Senator Dempsey, the above substitute amendment was withdrawn.

Senator Dempsey offered **SSA 2 for SA 3**:

**SENATE SUBSTITUTE AMENDMENT NO. 2 FOR  
SENATE AMENDMENT NO. 3**

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 8, Section 162.1310, Line 19, by inserting after all of said line the following:

**“(1) “Private nonsectarian school”, a school that is not a part of the public school system of the state of Missouri, that charges tuition for the rendering of elementary and secondary educational services, and that does not have a religious affiliation;”**; and further amend said subsection by renumbering the remaining subdivisions accordingly; and

Further amend said bill, page 23, section 167.828, line 11, by inserting after all of said line the following:

**“3. To be eligible to transfer to a nonsectarian private school, a student shall meet the following requirements:**

**(1) Have been unable to transfer to an accredited school within his or her district of residence under section 167.825;**

**(2) Provide proof that he or she has resided in an unaccredited district or unaccredited districts and within the attendance boundaries of an unaccredited school or unaccredited schools for a minimum of twelve months; and**

**(3) Except for a student entering kindergarten or first grade for the first time, have been enrolled in one or more unaccredited schools in an unaccredited district or unaccredited districts for a minimum of one school term.**

**4. A nonsectarian private school shall qualify to receive tuition payments under this section only if it satisfies the following conditions:**

**(1) Is accredited by the North Central Association Commission On Accreditation and School Improvement or demonstrates similar academic quality credentials to the department of elementary and secondary education;**

**(2) Administers or allows for the administration of the statewide assessments in English language arts and mathematics or equivalent assessments for transfer students;**

**(3) Complies with all health and safety laws or codes that apply to nonpublic schools;**

**(4) Holds a valid occupancy permit if required by their municipality;**

**(5) Certifies that they will not discriminate in admissions on the basis of race, color, or national origin;**

**(6) Files with the department of elementary and secondary education a statement of intent to accept transfer students that includes the information listed in this subsection; and**

**(7) Annually administers a parental satisfaction survey.”**; and further amend line 12, by striking “3.” and inserting in lieu thereof “5.”; and further amend line 15, by striking “4.” and inserting in lieu thereof “6.”; and further amend line 17, by inserting after all of said line the following:

**“7. For purposes of this section, the term “nonsectarian school” shall mean a school that is not a part of the public school system of the state of Missouri, that charges tuition for the rendering of elementary and secondary educational services, and that does not have a religious affiliation.”.**

Senator Dempsey moved that the above substitute amendment be adopted.

Senator Chappelle-Nadal offered **SA 1** to **SSA 2** for **SA 3**, which was read:

SENATE AMENDMENT NO. 1 TO  
SENATE SUBSTITUTE AMENDMENT NO. 2 FOR  
SENATE AMENDMENT NO. 3

Amend Senate Substitute Amendment No. 2 for Senate Amendment No. 3 to Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 2, Line 15, by inserting at the end of said line the following: “**and**”; and further amend lines 16-17 by striking all of said lines; and further amend line 20 by striking the word “and”; and further amend line 21 by striking all of said line; and further amend said subsection by renumbering the remaining subdivisions accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Pearce offered **SA 2** to **SSA 2** for **SA 3**:

SENATE AMENDMENT NO. 2 TO  
SENATE SUBSTITUTE AMENDMENT NO. 2 FOR  
SENATE AMENDMENT NO. 3

Amend Senate Substitute Amendment No. 2 for Senate Amendment No. 3 to Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 2, Line 8, by inserting after all of said line the following:

**“(2) Has been in continuous operation for three school years prior to accepting transfer students under this section”**; and further amend said subsection by renumbering the subdivisions accordingly.

Senator Pearce moved that the above amendment be adopted, which motion failed.

**SSA 2** for **SA 3**, as amended, was again taken up.

Senator Dempsey moved that the above substitute amendment be adopted, which motion prevailed.

At the request of Senator Pearce, **SB 493**, **SB 485**, **SB 495**, **SB 516**, **SB 534**, **SB 545**, **SB 595**, **SB 616** and **SB 624**, with **SCS**, as amended (pending), were placed on the Informal Calendar.

**INTRODUCTIONS OF GUESTS**

Senator Emery introduced to the Senate, the Physician of the Day, Warren Lovinger, M.D., Nevada; and his children, Dan Lovinger, Columbia; and Sarah Florio, M.D. and Tom Lovinger, M.D., Lee's Summit.

On motion of Senator Richard, the Senate adjourned under the rules.

**SENATE CALENDAR**

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TWENTY-EIGHTH DAY—WEDNESDAY, FEBRUARY 26, 2014

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**FORMAL CALENDAR****SECOND READING OF SENATE BILLS**

SB 831-Wallingford	SB 856-Emery
SB 832-Walsh	SB 857-Holsman
SB 833-Walsh	SB 858-Kraus
SB 834-Walsh	SB 859-Brown
SB 835-Munzlinger	SB 860-Cunningham
SB 836-Munzlinger	SB 861-Schaefer
SB 837-Sifton	SB 862-Lager
SB 838-Emery	SB 863-Emery
SB 839-Sater	SB 864-Schaaf
SB 840-Pearce	SB 865-Nieves
SB 841-Wasson	SB 866-Wasson
SB 842-Parson	SB 867-Wasson
SB 843-Schaefer	SB 868-Sater
SB 844-Dixon	SB 869-Schmitt
SB 845-Chappelle-Nadal	SB 870-Holsman
SB 846-Richard	SB 871-Holsman
SB 847-Schaaf	SB 872-Wallingford and Justus
SB 848-LeVota	SB 873-Brown
SB 849-Walsh	SB 874-Wasson
SB 850-Munzlinger	SB 875-Sater
SB 852-Schmitt	SB 876-LeVota
SB 853-Wasson	SB 877-Kraus
SB 854-Wasson	SB 878-Lamping
SB 855-Schaefer	SB 879-Sifton

SB 880-Sifton	SB 911-Libla
SB 881-Sifton	SB 912-Wasson
SB 882-Brown	SB 913-Wasson and Cunningham
SB 883-Wasson	SB 914-Munzlinger
SB 884-Wallingford	SB 915-Dixon
SB 885-Pearce	SB 916-Wallingford
SB 886-Schaefer	SB 917-Richard
SB 887-Schaefer	SB 918-Holsman
SB 888-Parson	SB 919-Justus
SB 889-Parson	SB 920-Munzlinger
SB 890-Kehoe	SB 921-Schaaf
SB 891-Kehoe	SB 922-Schaaf
SB 892-Kraus	SB 923-Emery
SB 893-Kraus	SB 924-Emery
SB 894-Munzlinger	SB 925-Emery
SB 895-Sater	SB 926-Sater
SB 896-Wallingford	SB 927-Lamping
SB 897-Wallingford	SB 928-Lamping
SB 898-Schaefer	SB 929-Lamping
SB 899-Justus and Schaaf	SB 930-Lamping
SB 900-Lamping	SB 931-Nieves
SB 901-Holsman	SB 932-Nieves
SB 902-Munzlinger	SB 933-Nieves
SB 903-Silvey	SJR 49-Cunningham
SB 904-Sifton	SJR 50-Lamping
SB 905-Sater	SJR 51-Lamping
SB 906-Holsman	SJR 52-Lamping
SB 907-Richard	SJR 53-Lamping
SB 908-Schaefer	SJR 54-Lamping
SB 909-Parson and Kehoe	SJR 55-Nieves
SB 910-Schaaf	

#### HOUSE BILLS ON SECOND READING

HB 1430-Jones (110), et al	HJR 72-Richardson, et al
HCS for HB 1058	HCS for HB 1412
HB 1133-Engler, et al	HCS for HBs 1253 & 1297
HCS for HB 1051	HCS for HB 1295
HJR 48-Solon, et al	

## THIRD READING OF SENATE BILLS

SCS for SB 529-Wallingford

SCS for SB 664-Brown (In Fiscal Oversight)

SB 561-Munzlinger

SS for SB 525-Cunningham

SCS for SJR 45-Silvey (In Fiscal Oversight)

SCS for SB 567-Chappelle-Nadal (In  
Fiscal Oversight)

SCS for SB 666-Schmitt (In Fiscal Oversight)

## SENATE BILLS FOR PERFECTION

SB 635-Silvey and Holsman, with SCS

## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

SB 491-Justus and Dixon, with SCS

SBs 493, 485, 495, 516, 534, 545, 595,  
616 & 624-Pearce, with SCS (pending)

SB 504-Munzlinger

SBs 509 & 496-Kraus, with SCS & SA 1  
(pending)SB 518-Sater, with SCS, SA 2 & SA 1 to  
SA 2 (pending)

SB 519-Sater, with SS &amp; SA 1 (pending)

SB 530-Libla, with SCS (pending)

SS for SB 543-Munzlinger

SB 575-Dixon

SB 612-Schaaf, with SCS

SB 643-Rupp, with SCS

SB 663-Munzlinger, with SCS

SB 735-Brown, with SCS

SJR 42-Schmitt

## CONSENT CALENDAR

Senate Bills

Reported 2/20

SB 606-Dixon

SB 600-Sater

## RESOLUTIONS

To be Referred

SCR 36-Wasson

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# Journal of the Senate

## SECOND REGULAR SESSION

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**TWENTY-EIGHTH DAY—WEDNESDAY, FEBRUARY 26, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“But we speak God’s wisdom, secret and hidden, which God decreed before the ages for our glory.” (1 Corinthians 2:7)

O Lord, we ask You to mercifully receive the prayers of Your people here which call out to You: grant that we may both perceive and know what things we ought to do and also may have the grace and power to faithfully fulfill the same. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

**Present—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—32

**Absent—Senators—None**

**Absent with leave—Senator Wasson—1**

**Vacancies—1**

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Schmitt offered Senate Resolution No. 1461, regarding Parents as Teachers, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1462, regarding Dr. Charles J. McClain, which was adopted.

Senator Wallingford offered Senate Resolution No. 1463, regarding Kathryn “Kathy” Glasco, Chaffee,

which was adopted.

Senator Sater offered Senate Resolution No. 1464, regarding Rex Kay, Monett, which was adopted.

Senator Sater offered Senate Resolution No. 1465, regarding Arthur Hale, Forsyth, which was adopted.

Senator Justus offered Senate Resolution No. 1466, regarding Nita Jones, Fulton, which was adopted.

Senator Lamping offered Senate Resolution No. 1467, regarding Segepoh Thomas, which was adopted.

Senator Lamping offered Senate Resolution No. 1468, regarding Beral Mbaikoubou, which was adopted.

Senator Dempsey offered Senate Resolution No. 1469, regarding James Schuette, which was adopted.

Senator Dempsey offered Senate Resolution No. 1470, regarding C.J. Vogt, which was adopted.

Senator Dempsey offered Senate Resolution No. 1471, regarding Kent Keiser, which was adopted.

Senator Dempsey offered Senate Resolution No. 1472, regarding Dave Groeblichhoff, which was adopted.

Senator Dempsey offered Senate Resolution No. 1473, regarding Don Claas, which was adopted.

Senator Dempsey offered Senate Resolution No. 1474, regarding Stephen “Steve” Barteau, which was adopted.

Senator Dempsey offered Senate Resolution No. 1475, regarding Robin Goodin, which was adopted.

Senator Dempsey offered Senate Resolution No. 1476, regarding Regi Jonak-Ward, which was adopted.

Senator Dempsey offered Senate Resolution No. 1477, regarding Charles Howes, which was adopted.

### **CONCURRENT RESOLUTIONS**

Senator Kehoe offered the following concurrent resolution:

#### **SENATE CONCURRENT RESOLUTION NO. 37**

Relating to the recognition of the first Tuesday of every September as American Red Cross Blood Donation Day.

WHEREAS, prior to the beginning of World War II, the United States Congress requested the American Red Cross begin a national blood collection program to support the armed forces; and

WHEREAS, the American Red Cross Blood Services has grown into a national network that provides about 40 percent of the nation’s blood; and

WHEREAS, the American Red Cross collects approximately 5.6 million blood donations nationwide each year from roughly 3.3 million volunteer donors; and

WHEREAS, in Missouri, the American Red Cross hosts more than 3,500 blood drives and collects more than 137,000 units of blood each year; and

WHEREAS, the American Red Cross is able to accomplish this in Missouri with the help of more than 2,000 volunteer sponsors and blood drive coordinators; and

WHEREAS, our communities depend on the American Red Cross and on voluntary blood donors:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby recognize the first Tuesday of September of each year as “American Red Cross Blood Donation Day”; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

Senator Lamping offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 38

WHEREAS, Article I of the United States Constitution begins “All legislative powers herein granted shall be vested in a Congress”; and

WHEREAS, the Congress has exceeded the legislative powers granted in the Constitution thereby encroaching on the powers that are “reserved to the states respectively, or to the people” as the Tenth Amendment affirms and the rights “retained by the people” to which the Ninth Amendment refers; and

WHEREAS, in Federalist No. 10, James Madison wrote that “No man is allowed to be a judge in his own cause, because his interest would certainly bias his judgment, and,... with greater reason, a body of men are unfit to be both judges and parties at the same time”; and

WHEREAS, this same principle was emphasized in the 1798 Kentucky Resolutions (drafted by Thomas Jefferson) that the United States government “was not made the exclusive or final judge of the extent of the powers delegated to itself; since that would have made its discretion, and not the Constitution, the measure of its powers”; and

WHEREAS, the United States Constitution should then be amended to enable the several states to correct violations of the limited powers by the United States and thereby restore the proper balance between the powers of Congress and those of the several States, and better prevent the denial or disparagement of the rights retained by the people:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby strongly urge the Congress of the United States to propose the following amendment, known as the State Repeal Amendment, or SRA:

“Any provision of law or regulation of the United States may be repealed by the several states, and such repeal shall be effective when the legislatures of a representative majority of the several states approve resolutions for this purpose that particularly describe the same provision or provisions of law or regulation to be repealed. A representative majority of the several states is a majority of the states also having together a majority of the Representatives in the Congress.”; and

BE IT FURTHER RESOLVED that should the Congress fail to act after two-thirds of the Several States petition alike in substance for a State Repeal Amendment, then a “convention to propose amendments” under Article V of the United States Constitution shall be the proper course and that delegates to such convention should be selected by the legislatures in the several states and should vote by state, according to the practices established by the 1787 Federal Convention in Philadelphia; and

BE IT FURTHER RESOLVED that the state of Missouri reserve its further right to petition in the same manner for further amendments as the General Assembly may deem warranted; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Legislatures of all the several states inviting them to likewise join in support of this petition; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Speaker of the United States House of Representatives, the President of the United States Senate, and each member of the Missouri Congressional delegation.

## INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

**SB 934**—By Schaaf.

An Act to amend chapters 167 and 376, RSMo, by adding thereto two new sections relating to childhood

obesity.

**SB 935**—By Holsman.

An Act to repeal section 393.1075, RSMo, and to enact in lieu thereof one new section relating to solar rebates, with existing penalty provisions.

**SB 936**—By Schaefer.

An Act to repeal section 64.170, RSMo, and to enact in lieu thereof one new section relating to county ordinances establishing minimum standards for residential occupancy.

**SB 937**—By Schaefer.

An Act to repeal section 56.700, RSMo, and to enact in lieu thereof one new section relating to mental health duties of certain county counselors.

**SB 938**—By Pearce.

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the transfer of property by the governing bodies of certain public institutions of higher education, with an emergency clause.

**SB 939**—By Curls.

An Act to repeal section 67.399, RSMo, and to enact in lieu thereof one new section relating to Kansas City housing ordinances.

**SB 940**—By Curls.

An Act to repeal section 92.402, RSMo, and to enact in lieu thereof one new section relating to public mass transportation sales taxes.

**SB 941**—By Curls, Rupp and Silvey.

An Act to repeal section 173.670, RSMo, and to enact in lieu thereof three new sections relating to course work leading to industry certification.

**SB 942**—By Sater.

An Act to repeal sections 338.059 and 338.220, RSMo, and to enact in lieu thereof three new sections relating to pharmacy licensure.

**SB 943**—By Justus.

An Act to repeal sections 211.442, 211.444, 453.040, 453.065, 453.080, and 453.110, RSMo, and to enact in lieu thereof seven new sections relating to adoption, with existing penalty provisions.

Senator Lager assumed the Chair.

**SB 944**—By Brown, Holsman, Chappelle-Nadal, Walsh, Schaaf, Wallingford, Romine and Libla.

An Act to repeal sections 393.140 and 393.150, RSMo, and to enact in lieu thereof two new sections relating to rates of return on equity for corporations regulated by the public service commission, with an existing penalty provision.

**SB 945**—By Brown, Libla, Wasson, Richard, Lamping, Kraus, Rupp, Parson, Sater, Cunningham, Nieves, Schaefer, Lager and Romine.

An Act to repeal section 546.680, RSMo, and to enact in lieu thereof two new sections relating to the death penalty.

**SB 946**—By Dixon.

An Act to repeal section 37.020, RSMo, and to enact in lieu thereof one new section relating to bidding for public contracts.

**SB 947**—By Dixon.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to a sales tax for early childhood education programs.

Senator Schmitt assumed the Chair.

**SB 948**—By Wallingford.

An Act to amend chapter 287, RSMo, by adding thereto one new section relating to the payment of second injury fund liabilities.

#### **SENATE BILLS FOR PERFECTION**

Senator Pearce moved that **SB 493, SB 485, SB 495, SB 516, SB 534, SB 545, SB 595, SB 616** and **SB 624**, with **SCS**, as amended (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SCS** for **SBs 493, 485, 495, 516, 534, 545, 595, 616** and **624**, as amended, was again taken up.

Senator Schaefer offered **SA 4**:

#### **SENATE AMENDMENT NO. 4**

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 5, Section 162.081, Line 116, by inserting after all said line the following:

**“9. If the state board of education reasonably believes that a school district is unlikely to provide for the minimum school term required by section 163.021 because of financial difficulty, the state board of education may, prior to the start of the school term:**

**(1) Allow continued governance by the existing district school board under terms and conditions established by the state board of education; or**

**(2) Lapse the corporate organization of the district and implement one of the options available under subdivision (2) of subsection 3 of this section.”.**

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe assumed the Chair.

Senator Lager offered **SA 5**:

#### **SENATE AMENDMENT NO. 5**

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and

624, Page 33, Section 167.848, Line 28, by inserting immediately after said line the following:

**“168.205. Notwithstanding any provision of law to the contrary, two or more school districts may share a superintendent who possesses a valid Missouri superintendent’s license. If any school districts choose to share a superintendent, they shall not be required to receive approval from the department of elementary and secondary education but may notify the department.”; and**

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 6**:

#### SENATE AMENDMENT NO. 6

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 35, Section 171.031, Line 68, by inserting immediately after said line the following:

“[161.216. 1. No public institution of higher education, political subdivision, governmental entity, or quasi-governmental entity receiving state funds shall operate, establish, or maintain, offer incentives to participate in, or mandate participation in a quality rating system for early childhood education, a training quality assurance system, any successor system, or any substantially similar system for early childhood education, unless the authority to operate, establish, or maintain such a system is enacted into law through:

(1) A bill as prescribed by article III of the Missouri Constitution;

(2) An initiative petition as prescribed by section 50 of article III of the Missouri Constitution; or

(3) A referendum as prescribed by section 52(a) of article III of the Missouri Constitution.

2. No public institution of higher education, political subdivision, governmental entity or quasi-governmental entity receiving state funds shall promulgate any rule or establish any program, policy, guideline, or plan or change any rule, program, policy, guideline, or plan to operate, establish, or maintain a quality rating system for early childhood education, a training quality assurance system, any successor system, or any substantially similar system for early childhood education unless such public institution of higher education, political subdivision, governmental entity or quasi-governmental entity receiving state funds has received statutory authority to do so in a manner consistent with subsection 1 of this section.

3. Any taxpayer of this state or any member of the general assembly shall have standing to bring suit against any public institution of higher education, political subdivision, governmental entity or quasi-governmental entity which is in violation of this section in any court with jurisdiction to enforce the provisions of this section.

4. This section shall not be construed to limit the content of early childhood education courses, research, or training carried out by any public institution of higher education. A course on quality rating systems or training quality assurance systems shall not be a requirement for certification by the state as an individual child care provider or any licensing

requirement that may be established for an individual child care provider.

5. For purposes of this section:

(1) “Early childhood education” shall mean education programs that are both centered and home-based and providing services for children from birth to kindergarten;

(2) “Quality rating system” or “training quality assurance system” shall include the model from the Missouri quality rating system pilots developed by the University of Missouri center for family policy and research, any successor model, or substantially similar model. “Quality rating system” or “training quality assurance system” shall also include but not be limited to a tiered rating system that provides a number of tiers or levels to set benchmarks for quality that build upon each other, leading to a top tier that includes program accreditation. “Quality rating system” or “training quality assurance system” may also include a tiered reimbursement system that may be tied to a tiered rating system;

(3) “Tiered reimbursement system” or “training quality assurance system” shall include but not be limited to a system that links funding to a quality rating system, a system to award higher child care subsidy payments to programs that attain higher quality levels, or a system that offers other incentives through tax policy or professional development opportunities for child care providers.]”; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted.

Senator Emery raised the point of order that **SA 6** is out of order in that it goes beyond the scope and title of the bill.

The point of order was referred to the President Pro Tem.

At the request of Senator Lager, **SA 6** was withdrawn rendering the point of order moot.

Senator Pearce offered **SA 7**, which was read:

#### SENATE AMENDMENT NO. 7

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 14, Section 167.642, Line 9, by inserting immediately after the word “to” the following: “**any student with an individualized education program, any student receiving services through a plan prepared under Section 504 of the Rehabilitation Act of 1973,**”.

Senator Pearce moved that the above amendment be adopted.

At the request of Senator Pearce, **SB 493, SB 485, SB 495, SB 516, SB 534, SB 545, SB 595, SB 616** and **SB 624**, with **SCS** and **SA 7** (pending), were placed on the Informal Calendar.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1510**, entitled:

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to mammograms.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1044**, entitled:

An Act to amend chapter 70, RSMo, by adding thereto one new section relating to the Missouri local government retirement system.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1081**, entitled:

An Act to amend chapter 32, RSMo, by adding thereto two new sections relating to paperless communications.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1085**, entitled:

An Act to repeal sections 182.815 and 182.817, RSMo, and to enact in lieu thereof two new sections relating to the disclosure of library records.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1126**, entitled:

An Act to repeal section 71.015, RSMo, and to enact in lieu thereof one new section relating to elections for annexation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1197**, entitled:



An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of Turner Syndrome awareness month.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1206**, entitled:

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the transfer of property by the governing bodies of certain public institutions of higher education, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1217**, entitled:

An Act to amend chapter 434, RSMo, by adding thereto five new sections relating to the unlawful transfer or assignment of pension benefits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1270**, entitled:

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to credit card processing services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1301**, entitled:

An Act to repeal sections 86.900 and 86.1220, RSMo, and to enact in lieu thereof two new sections relating to Kansas City police retirement systems.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### REFERRALS

President Pro Tem Dempsey referred **SCR 36** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Richard, the Senate recessed until 2:30 p.m.

### RECESS

The time of recess having expired, the Senate was called to order by Senator Kraus.

### RESOLUTIONS

Senator Emery offered Senate Resolution No. 1478, regarding Isaiah Simmons, Peculiar, which was adopted.

On behalf of Senator Wasson, Senator Richard offered Senate Resolution No. 1479, regarding Kris Dyer, Christian County, which was adopted.

Senator Pearce offered Senate Resolution No. 1480, regarding Carson Caine Utz, Odessa, which was adopted.

Senator Curls offered Senate Resolution No. 1481, regarding Beverly A. Richardson, which was adopted.

Senator Lamping offered Senate Resolution No. 1482, regarding Reverend Charles Burgoon, St. Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 1483, regarding Andrew Matthew Lock, Chesterfield, which was adopted.

Senator LeVota offered Senate Resolution No. 1484, regarding Dennis Pierce, which was adopted.

Senator Sifton offered Senate Resolution No. 1485, regarding Neil Walkoff, Ballwin, which was adopted.

### INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

**SB 949**—By Munzlinger.

An Act to repeal section 136.055, RSMo, and to enact in lieu thereof one new section relating to transportation.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

**SB 950**—By Holsman.

An Act to repeal section 99.080, RSMo, and to enact in lieu thereof one new section relating to powers granted to municipal housing authorities.

**SB 951**—By Holsman.

An Act to repeal sections 144.020, 144.021, 144.030, 195.017, and 263.250, RSMo, and to enact in lieu

thereof ten new sections relating to the use of marijuana for medicinal purposes, with penalty provisions and a referendum clause.

**SB 952**—By Dixon.

An Act to repeal section 191.905, RSMo, and to enact in lieu thereof one new section relating to MO HealthNet fraud, with existing penalty provisions.

**SB 953**—By Nasheed.

An Act to repeal section 135.600, RSMo, and to enact in lieu thereof one new section relating to a tax credit for donations to maternity homes.

**SB 954**—By Cunningham.

An Act to repeal section 301.640, RSMo, and to enact in lieu thereof one new section relating to release of lienholders' rights, with exiting penalty provisions.

**SB 955**—By Cunningham.

An Act to repeal section 339.507, RSMo, and to enact in lieu thereof two new sections relating to the real estate appraisers commission.

#### **SENATE BILLS FOR PERFECTION**

Senator Pearce moved that **SB 493, SB 485, SB 495, SB 516, SB 534, SB 545, SB 595, SB 616** and **SB 624**, with **SCS** and **SA 7** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 7** was again taken up.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

Senator Emery offered **SA 8**:

#### **SENATE AMENDMENT NO. 8**

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 6, Section 162.432, Line 15, by inserting after all of said line the following:

“162.1250. 1. School districts shall receive state school funding under sections 163.031, 163.043, and 163.087 for resident students who are enrolled in the school district and who are taking a virtual course or full-time virtual program offered by the school district. The school district may offer instruction in a virtual setting using technology, intranet, and internet methods of communications that could take place outside of the regular school district facility. The school district may develop a virtual program for any grade level, kindergarten through twelfth grade, with the courses available in accordance with district policy to any resident student of the district who is enrolled in the school district. Nothing in this section shall preclude a private, parochial, or home school student residing within a school district offering virtual courses or virtual programs from enrolling in the school district in accordance with the combined enrollment provisions of section 167.031 for the purposes of participating in the virtual courses or virtual programs.

2. Charter schools shall receive state school funding under section 160.415 for students enrolled in the charter school who are completing a virtual course or full-time virtual program offered by the charter

school. Charter schools may offer instruction in a virtual setting using technology, intranet, and internet methods of communications. The charter school may develop a virtual program for any grade level, kindergarten through twelfth grade, with the courses available in accordance with school policy and the charter school's charter to any student enrolled in the charter school.

3. For purposes of calculation and distribution of state school funding, attendance of a student enrolled in a district or charter school virtual class shall equal, upon course completion, ninety-four percent of the hours of attendance possible for such class delivered in the nonvirtual program in the student's resident district or charter school. Course completion shall be calculated in two increments, fifty percent completion and one hundred percent completion, based on the student's completion of defined assignments and assessments, with distribution of state funding to a school district or charter school at each increment equal to forty-seven percent of hours of attendance possible for such course delivered in the nonvirtual program in a student's school district of residence or charter school.

**4. (1) For purposes of this subsection, a virtual school of choice means a school authorized to provide a full time kindergarten through grade twelve virtual program pursuant to this section if it meets the following requirements:**

**(a) Uses a unified and sequential online curriculum;**

**(b) Allows students to learn at a flexible pace including acceleration for advanced learners and more time for students who need it;**

**(c) Employs certified teachers to oversee all instruction; and**

**(d) Develops an individualized learning plan for all students designed by certified teachers and professional staff.**

**(2) Notwithstanding any provision of law to the contrary, any student who is a resident of this state and is eligible to attend a public school in a county, or in any adjoining county, that has contained any portion of a school district that has been declared unaccredited, is eligible to enroll in a virtual school of choice. For purposes of this subsection, a virtual resident student is a student who is enrolled in a virtual school of choice which is hosted by the student's district of residence or a virtual school of choice which is hosted by a charter school in the student's district of residence. There shall be no change in calculation and distribution of state school funding under subsection 3 of this section for a virtual resident student. For purposes of this subsection, a virtual transfer student is a student who is enrolled in a virtual school of choice which is neither hosted by the student's district of residence nor by a charter school in the student's district of residence. For purposes of calculation and distribution of state school funding for virtual transfer students, any virtual transfer student shall be included in the average daily attendance of his or her school district of residence. The department of elementary and secondary education shall deduct from the state aid payment made to the district of residence of a virtual transfer student an amount equal to the state adequacy target and credit the same amount to the virtual school of choice. The distribution of funds to the virtual school of choice shall be calculated in two increments, fifty percent completion and one hundred percent completion, based on the student's completion of defined assignments and assessments. No virtual transfer student shall be admitted to a virtual school of choice if admission of the student would cause the amount deducted from the district of residence's state aid to exceed the aggregate amount due to the school district as provided under subsections 1 and 2 of section 163.031 and sections 163.043 and 163.087.**

**The department of elementary and secondary education shall transfer any federal special education or Title I funds associated with an individual virtual transfer student to the virtual school of choice. If a clearinghouse organization or other entity to coordinate student transfers from unaccredited districts to accredited districts is created to provide school transfer availability information, it shall provide information furnished to it by schools offering courses or programs to virtual transfer students.**

5. When courses are purchased from an outside vendor, the district or charter school shall ensure that they are aligned with the show-me curriculum standards and comply with state requirements for teacher certification. The state board of education reserves the right to request information and materials sufficient to evaluate the online course. Online classes should be considered like any other class offered by the school district or charter school.

[5.] 6. Any school district or charter school that offers instruction in a virtual setting, develops a virtual course or courses, or develops a virtual program of instruction shall ensure that the following standards are satisfied:

- (1) The virtual course or virtual program utilizes appropriate content-specific tools and software;
- (2) Orientation training is available for teachers, instructors, and students as needed;
- (3) Privacy policies are stated and made available to teachers, instructors, and students;
- (4) Academic integrity and internet etiquette expectations regarding lesson activities, discussions, electronic communications, and plagiarism are stated to teachers, instructors, and students prior to the beginning of the virtual course or virtual program;
- (5) Computer system requirements, including hardware, web browser, and software, are specified to participants;
- (6) The virtual course or virtual program architecture, software, and hardware permit the online teacher or instructor to add content, activities, and assessments to extend learning opportunities;
- (7) The virtual course or virtual program makes resources available by alternative means, including but not limited to, video and podcasts;
- (8) Resources and notes are available for teachers and instructors in addition to assessment and assignment answers and explanations;
- (9) Technical support and course management are available to the virtual course or virtual program teacher and school coordinator;
- (10) The virtual course or virtual program includes assignments, projects, and assessments that are aligned with students' different visual, auditory, and hands-on learning styles;
- (11) The virtual course or virtual program demonstrates the ability to effectively use and incorporate subject-specific and developmentally appropriate software in an online learning module; and
- (12) The virtual course or virtual program arranges media and content to help transfer knowledge most effectively in the online environment.

[6.] 7. Any special school district shall count any student's completion of a virtual course or program

in the same manner as the district counts completion of any other course or program for credit.

[7.] **8.** A school district or charter school may contract with multiple providers of virtual courses or virtual programs, provided they meet the criteria for virtual courses or virtual programs under this section.”; and

Further amend the title and enacting clause accordingly.

Senator Emery moved that the above amendment be adopted, which motion failed.

Senator Schmitt offered **SA 9**:

**SENATE AMENDMENT NO. 9**

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 21, Section 167.826, Line 40, by inserting at the end of said line the following: **“The school board of a receiving district, upon a majority vote of the board, may choose to charge a rate of tuition less than the amount that would otherwise be calculated under this subsection. If any receiving district chooses to charge a rate of tuition that is at least thirty percent less than the rate of tuition that would otherwise be calculated under this subsection, then the statewide assessment scores and all other performance data for those students whom the district received shall not be used for five school years when calculating the performance of the receiving district for purposes of the Missouri school improvement program.”**; and further amend lines 41-45 by striking all of said lines and inserting in lieu thereof the following:

**“4. If the school board of a receiving district, upon a majority vote of the board, chooses to charge a rate of tuition that is less than ninety percent of the rate that would otherwise be calculated under subsection 3 of this section, ten percent of the receiving district’s tuition rate shall be paid from the supplemental tuition fund.”**; and further amend line 46 by striking the following: “in this section.”.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Nieves assumed the Chair.

Senator Keaveny offered **SA 10**:

**SENATE AMENDMENT NO. 10**

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 8, Section 162.1310, Line 27, by inserting immediately after said line the following:

**“163.018. 1. Notwithstanding the definition of “average daily attendance” in subdivision (2) of section 163.011 to the contrary, pupils between the ages of three and five who are eligible for free and reduced lunch and attend an early childhood education program that is operated by and in a district or by a charter school that has declared itself as a local educational agency providing full-day kindergarten and that meets standards established by the state board of education, shall be included in the district’s or charter school’s calculation of average daily attendance.**

**2. The provisions of this section shall become effective in any school year subsequent to a school year in which the amount appropriated for subsections 1 and 2 of section 163.031 is equal to or exceeds the amount necessary to fund the entire entitlement calculation determined by subsections**

**1 and 2 of section 163.031, and shall remain effective in all school years thereafter, irrespective of the amount appropriated for subsections 1 and 2 of section 163.031 in any succeeding year.**

**3. This section shall not require school attendance beyond that mandated under section 167.031 and shall not change or amend the provisions of sections 160.051, 160.053, 160.054, and 160.055 relating to kindergarten attendance.”; and**

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted.

Senator Pearce raised the point of order that **SA 10** is out of order in that it goes beyond the scope of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Curls offered **SA 11**:

SENATE AMENDMENT NO. 11

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 1, Section A, Line 6, by inserting after all of said line the following:

**“161.084. When classifying the public schools of the state under section 161.092, the state board of education shall not assign to any school district an accreditation classification of unaccredited or change a district’s accreditation classification from accredited to provisionally accredited at any time when there is no state board of education member who is a resident of the congressional district in which such school district is located.”; and**

Further amend the title and enacting clause accordingly.

Senator Curls moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Schmitt offered **SA 12**:

SENATE AMENDMENT NO. 12

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 22, Section 167.826, Line 75, by inserting after all of said line the following:

**“6. When a district is declared unaccredited, it shall contract with any special school district located in the same or an adjoining county for the reimbursement of special education services provided by the special school district for transfer students who are residents of the unaccredited district.”; and**

Further amend said section by renumbering the remaining subsection accordingly.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 13**:

SENATE AMENDMENT NO. 13

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and

624, Page 15, Section 167.685, Line 11, by striking the words “any moneys”; and further amend lines 12-14 by striking all of said lines and inserting in lieu thereof the following: **“any gifts, bequests or public or”**; and

Further amend said bill, page 26, section 167.833, line 2 by striking the word “any”; and further amend lines 3-5 by striking all of said lines and inserting in lieu thereof the following: **“any gifts, bequests or”**; and

Further amend said bill, page 29, section 167.839, lines 3-5 by striking all of said lines and inserting in lieu thereof the following: **“any gifts, bequests”**; and

Further amend said bill, page 32, section 167.845, lines 3-5 by striking all of said lines and inserting in lieu thereof the following: **“gifts, bequests, or”**; and

Further amend said bill, page 33, section 170.320, line 2 by striking the words “any moneys”; and further amend lines 3-5 by striking all of said lines and inserting in lieu thereof the following: **“any gifts, bequests, or public or”**; and

Further amend said bill, page 35, section 171.031, lines 54-59 by striking all of said lines and inserting in lieu thereof the following: **“section.”**.

Senator Schaefer moved that the above amendment be adopted.

Senator Chappelle-Nadal offered **SA 1 to SA 13**:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 13

Amend Senate Amendment No. 13 to Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 1, Line 4, by inserting after all of said line the following:

“Further amend line 15 by inserting at the end of said line the following: **“Any person or entity that makes a gift, bequest, or donation to the fund may specify the district that shall be the recipient of such gift, bequest, or donation.”**; and”; and

Further amend said amendment, line 18, by inserting after all of said line the following:

“Further amend line 10 by inserting at the end of said line the following: **“Any person or entity that makes a gift, bequest, or donation to the fund may specify the district that shall be the recipient of such gift, bequest, or donation.”**; and”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt offered **SA 2 to SA 13**:

SENATE AMENDMENT NO. 2 TO  
SENATE AMENDMENT NO. 13

Amend Senate Amendment No. 13 to Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 1, Section 171.031, Line 21, by striking all of said line and inserting in lieu thereof the following: **“the following: “section.**

**9. (1) There is hereby created in the state treasury the “Extended Learning Time Fund”. The fund**



shall consist of any moneys that may be appropriated by the general assembly from general revenue to such fund, any moneys paid into the state treasury and required by law to be credited to such fund and any gifts, bequests or public or private donations to such fund.

(2) The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of subsection 8 of this section.

(3) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(4) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.”.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

SA 13, as amended, was again taken up.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Emery offered SA 14:

#### SENATE AMENDMENT NO. 14

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 8, Section 162.1310, Line 14, by striking the word “Any” and inserting in lieu thereof the following: **“The school board of any district that operates an”**; and further amend lines 17-18 by striking all of said lines and inserting in lieu thereof the following: **“accredited shall adopt a policy regarding the availability of home visits by school personnel. Pursuant to such policy, the school shall offer to the parent or guardian of a student enrolled in any such school the opportunity to have at least one annual home visit.”**.

Senator Emery moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered SA 15:

#### SENATE AMENDMENT NO. 15

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 20, Section 167.825, Line 6, by inserting immediately at the end of said line the following: **“However, no such transfer shall result in a class size and assigned enrollment in a receiving school that exceeds the standard level for class size and assigned enrollment as promulgated in the fifth cycle of the Missouri school improvement program’s resource standards.”**.

Senator Chappelle-Nadal moved that the above amendment be adopted.

Senator Pearce offered SA 1 to 15, which was read:

#### SENATE AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 15

Amend Senate Amendment No. 15 to Senate Committee Substitute for Senate Bills Nos. 493, 485, 495,

516, 534, 545, 595, 616 and 624, Page 1, Line 6, by striking the words “the fifth cycle of”.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

**SA 15**, as amended, was again taken up.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered **SA 16**:

**SENATE AMENDMENT NO. 16**

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 1, Section A, Line 6, by inserting after all of said line the following:

“160.400. 1. A charter school is an independent public school.

2. Except as further provided in subsection 4 of this section, charter schools may be operated only:

(1) In a metropolitan school district;

(2) In an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants;

(3) In a school district that has been declared unaccredited;

(4) In a school district that has been classified as provisionally accredited by the state board of education and has received scores on its annual performance report consistent with a classification of provisionally accredited or unaccredited for three consecutive school years beginning with the 2012-13 accreditation year under the following conditions:

(a) The eligibility for charter schools of any school district whose provisional accreditation is based in whole or in part on financial stress as defined in sections 161.520 to 161.529, or on financial hardship as defined by rule of the state board of education, shall be decided by a vote of the state board of education during the third consecutive school year after the designation of provisional accreditation; and

(b) The sponsor is limited to the local school board or a sponsor who has met the standards of accountability and performance as determined by the department based on sections 160.400 to 160.425 and section 167.349 and properly promulgated rules of the department; or

(5) In a school district that has been accredited without provisions, sponsored only by the local school board; provided that no board with a current year enrollment of one thousand five hundred fifty students or greater shall permit more than thirty-five percent of its student enrollment to enroll in charter schools sponsored by the local board under the authority of this subdivision, except that this restriction shall not apply to any school district that subsequently becomes eligible under subdivision (3) or (4) of this subsection or to any district accredited without provisions that sponsors charter schools prior to having a current year student enrollment of one thousand five hundred fifty students or greater.

3. Except as further provided in subsection 4 of this section, the following entities are eligible to sponsor charter schools:

(1) The school board of the district in any district which is sponsoring a charter school as of August 27, 2012, as permitted under subdivision (1) or (2) of subsection 2 of this section, the special administrative

board of a metropolitan school district during any time in which powers granted to the district's board of education are vested in a special administrative board, or if the state board of education appoints a special administrative board to retain the authority granted to the board of education of an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants, the special administrative board of such school district;

(2) A public four-year college or university with an approved teacher education program that meets regional or national standards of accreditation;

(3) A community college, the service area of which encompasses some portion of the district;

(4) Any private four-year college or university with an enrollment of at least one thousand students, with its primary campus in Missouri, and with an approved teacher preparation program;

(5) Any two-year private vocational or technical school designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended, which is a member of the North Central Association and accredited by the Higher Learning Commission, with its primary campus in Missouri; or

(6) The Missouri charter public school commission created in section 160.425.

4. Changes in a school district's accreditation status that affect charter schools shall be addressed as follows, except for the districts described in subdivisions (1) and (2) of subsection 2 of this section:

(1) As a district transitions from unaccredited to provisionally accredited, the district shall continue to fall under the requirements for an unaccredited district until it achieves three consecutive full school years of provisional accreditation;

(2) As a district transitions from provisionally accredited to full accreditation, the district shall continue to fall under the requirements for a provisionally accredited district until it achieves three consecutive full school years of full accreditation;

(3) In any school district classified as unaccredited or provisionally accredited where a charter school is operating and is sponsored by an entity other than the local school board, when the school district becomes classified as accredited without provisions, a charter school may continue to be sponsored by the entity sponsoring it prior to the classification of accredited without provisions and shall not be limited to the local school board as a sponsor.

A charter school operating in a school district identified in subdivision (1) or (2) of subsection 2 of this section may be sponsored by any of the entities identified in subsection 3 of this section, irrespective of the accreditation classification of the district in which it is located. A charter school in a district described in this subsection whose charter provides for the addition of grade levels in subsequent years may continue to add levels until the planned expansion is complete to the extent of grade levels in comparable schools of the district in which the charter school is operated.

5. The mayor of a city not within a county may request a sponsor under subdivision (2), (3), (4), (5), or (6) of subsection 3 of this section to consider sponsoring a "workplace charter school", which is defined for purposes of sections 160.400 to 160.425 as a charter school with the ability to target prospective students whose parent or parents are employed in a business district, as defined in the charter, which is located in the city.

6. No sponsor shall receive from an applicant for a charter school any fee of any type for the consideration of a charter, nor may a sponsor condition its consideration of a charter on the promise of future payment of any kind.

7. The charter school shall be organized as a Missouri nonprofit corporation incorporated pursuant to chapter 355. The charter provided for herein shall constitute a contract between the sponsor and the charter school.

8. As a nonprofit corporation incorporated pursuant to chapter 355, the charter school shall select the method for election of officers pursuant to section 355.326 based on the class of corporation selected. Meetings of the governing board of the charter school shall be subject to the provisions of sections 610.010 to 610.030.

9. A sponsor of a charter school, its agents and employees are not liable for any acts or omissions of a charter school that it sponsors, including acts or omissions relating to the charter submitted by the charter school, the operation of the charter school and the performance of the charter school.

10. A charter school may affiliate with a four-year college or university, including a private college or university, or a community college as otherwise specified in subsection 3 of this section when its charter is granted by a sponsor other than such college, university or community college. Affiliation status recognizes a relationship between the charter school and the college or university for purposes of teacher training and staff development, curriculum and assessment development, use of physical facilities owned by or rented on behalf of the college or university, and other similar purposes. A university, college or community college may not charge or accept a fee for affiliation status.

11. The expenses associated with sponsorship of charter schools shall be defrayed by the department of elementary and secondary education retaining one and five-tenths percent of the amount of state and local funding allocated to the charter school under section 160.415, not to exceed one hundred twenty-five thousand dollars, adjusted for inflation. The department of elementary and secondary education shall remit the retained funds for each charter school to the school's sponsor, provided the sponsor remains in good standing by fulfilling its sponsorship obligations under sections 160.400 to 160.425 and 167.349 with regard to each charter school it sponsors, including appropriate demonstration of the following:

(1) Expends no less than ninety percent of its charter school sponsorship funds in support of its charter school sponsorship program, or as a direct investment in the sponsored schools;

(2) Maintains a comprehensive application process that follows fair procedures and rigorous criteria and grants charters only to those developers who demonstrate strong capacity for establishing and operating a quality charter school;

(3) Negotiates contracts with charter schools that clearly articulate the rights and responsibilities of each party regarding school autonomy, expected outcomes, measures for evaluating success or failure, performance consequences, and other material terms;

(4) Conducts contract oversight that evaluates performance, monitors compliance, informs intervention and renewal decisions, and ensures autonomy provided under applicable law; and

(5) Designs and implements a transparent and rigorous process that uses comprehensive data to make merit-based renewal decisions.

12. Sponsors receiving funds under subsection 11 of this section shall be required to submit annual reports to the joint committee on education demonstrating they are in compliance with subsection 17 of this section.

13. No university, college or community college shall grant a charter to a nonprofit corporation if an employee of the university, college or community college is a member of the corporation's board of directors.

14. No sponsor shall grant a charter under sections 160.400 to 160.425 and 167.349 without ensuring that a criminal background check and family care safety registry check are conducted for all members of the governing board of the charter schools or the incorporators of the charter school if initial directors are not named in the articles of incorporation, nor shall a sponsor renew a charter without ensuring a criminal background check and family care registry check are conducted for each member of the governing board of the charter school.

15. No member of the governing board of a charter school shall hold any office or employment from the board or the charter school while serving as a member, nor shall the member have any substantial interest, as defined in section 105.450, in any entity employed by or contracting with the board. No board member shall be an employee of a company that provides substantial services to the charter school. All members of the governing board of the charter school shall be considered decision-making public servants as defined in section 105.450 for the purposes of the financial disclosure requirements contained in sections 105.483, 105.485, 105.487, and 105.489.

16. A sponsor shall develop the policies and procedures for:

(1) The review of a charter school proposal including an application that provides sufficient information for rigorous evaluation of the proposed charter and provides clear documentation that the education program and academic program are aligned with the state standards and grade-level expectations, and provides clear documentation of effective governance and management structures, and a sustainable operational plan;

(2) The granting of a charter;

(3) The performance framework that the sponsor will use to evaluate the performance of charter schools;

(4) The sponsor's intervention, renewal, and revocation policies, including the conditions under which the charter sponsor may intervene in the operation of the charter school, along with actions and consequences that may ensue, and the conditions for renewal of the charter at the end of the term, consistent with subsections 8 and 9 of section 160.405;

(5) Additional criteria that the sponsor will use for ongoing oversight of the charter; and

(6) Procedures to be implemented if a charter school should close, consistent with the provisions of subdivision (15) of subsection 1 of section 160.405.

The department shall provide guidance to sponsors in developing such policies and procedures.

17. (1) A sponsor shall provide timely submission to the state board of education of all data necessary to demonstrate that the sponsor is in material compliance with all requirements of sections 160.400 to 160.425 and section 167.349. The state board of education shall ensure each sponsor is in compliance with all requirements under sections 160.400 to 160.425 and 167.349 for each charter school sponsored by any

sponsor. The state board shall notify each sponsor of the standards for sponsorship of charter schools, delineating both what is mandated by statute and what best practices dictate. The state board shall evaluate sponsors to determine compliance with these standards every three years. The evaluation shall include a sponsor's policies and procedures in the areas of charter application approval; required charter agreement terms and content; sponsor performance evaluation and compliance monitoring; and charter renewal, intervention, and revocation decisions. Nothing shall preclude the department from undertaking an evaluation at any time for cause.

(2) If the department determines that a sponsor is in material noncompliance with its sponsorship duties, the sponsor shall be notified and given reasonable time for remediation. If remediation does not address the compliance issues identified by the department, the commissioner of education shall conduct a public hearing and thereafter provide notice to the charter sponsor of corrective action that will be recommended to the state board of education. Corrective action by the department may include withholding the sponsor's funding and suspending the sponsor's authority to sponsor a school that it currently sponsors or to sponsor any additional school until the sponsor is reauthorized by the state board of education under section 160.403.

(3) The charter sponsor may, within thirty days of receipt of the notice of the commissioner's recommendation, provide a written statement and other documentation to show cause as to why that action should not be taken. Final determination of corrective action shall be determined by the state board of education based upon a review of the documentation submitted to the department and the charter sponsor.

(4) If the state board removes the authority to sponsor a currently operating charter school under any provision of law, the Missouri charter public school commission shall become the sponsor of the school.

**18. When a sponsor notifies a charter school of closure under subsection 8 of section 160.405 the department of elementary and secondary education shall exercise its financial withholding authority under subsection 12 of section 160.415 to assure all obligations of the charter school have been met.**

**19. In the event the department is unable to withhold sufficient funds prior to the closure as specified in subsection 18 of this section, sponsors of charter schools shall be responsible for all expenditures associated with the closure of a charter school they sponsor. The provisions of this subsection shall be applicable to newly proposed charters and those charters renewed after the effective date of this section.**

160.405. 1. A person, group or organization seeking to establish a charter school shall submit the proposed charter, as provided in this section, to a sponsor. If the sponsor is not a school board, the applicant shall give a copy of its application to the school board of the district in which the charter school is to be located and to the state board of education, within five business days of the date the application is filed with the proposed sponsor. The school board may file objections with the proposed sponsor, and, if a charter is granted, the school board may file objections with the state board of education. The charter shall [be] **include** a legally binding performance contract that describes the obligations and responsibilities of the school and the sponsor as outlined in sections 160.400 to 160.425 and section 167.349 and shall [also include] **address the following:**

(1) A mission and vision statement for the charter school;

(2) A description of the charter school's organizational structure and bylaws of the governing body, which will be responsible for the policy, financial management, and operational decisions of the charter

school, including the nature and extent of parental, professional educator, and community involvement in the governance and operation of the charter school;

(3) A financial plan for the first three years of operation of the charter school including provisions for annual audits;

(4) A description of the charter school's policy for securing personnel services, its personnel policies, personnel qualifications, and professional development plan;

(5) A description of the grades or ages of students being served;

(6) The school's calendar of operation, which shall include at least the equivalent of a full school term as defined in section 160.011;

(7) A description of the charter school's pupil performance standards and academic program performance standards, which shall meet the requirements of subdivision (6) of subsection 4 of this section. The charter school program shall be designed to enable each pupil to achieve such standards and shall contain a complete set of indicators, measures, metrics, and targets for academic program performance, including specific goals on graduation rates and standardized test performance and academic growth;

(8) A description of the charter school's educational program and curriculum;

(9) The term of the charter, which shall be five years and shall be renewable;

(10) Procedures, consistent with the Missouri financial accounting manual, for monitoring the financial accountability of the charter, which shall meet the requirements of subdivision (4) of subsection 4 of this section;

(11) Preopening requirements for applications that require that charter schools meet all health, safety, and other legal requirements prior to opening;

(12) A description of the charter school's policies on student discipline and student admission, which shall include a statement, where applicable, of the validity of attendance of students who do not reside in the district but who may be eligible to attend under the terms of judicial settlements and procedures that ensure admission of students with disabilities in a nondiscriminatory manner;

(13) A description of the charter school's grievance procedure for parents or guardians;

(14) A description of the agreement between the charter school and the sponsor as to when a sponsor shall intervene in a charter school, when a sponsor shall revoke a charter for failure to comply with subsection 8 of this section, and when a sponsor will not renew a charter under subsection 9 of this section;

(15) Procedures to be implemented if the charter school should close, as provided in subdivision (6) of subsection 16 of section 160.400 including:

(a) Orderly transition of student records to new schools and archival of student records;

(b) Archival of business operation and transfer or repository of personnel records;

(c) Submission of final financial reports;

(d) Resolution of any remaining financial obligations; and

(e) Disposition of the charter school's assets upon closure;

(f) A notification plan to inform parents or guardians of students, the local school district, the retirement system in which the charter school's employees participate, and the state board of education within thirty days of the decision to close;

(16) A description of the special education and related services that shall be available to meet the needs of students with disabilities; and

(17) For all new or revised charters, procedures to be used upon closure of the charter school requiring that unobligated assets of the charter school be returned to the department of elementary and secondary education for their disposition, which upon receipt of such assets shall return them to the local school district in which the school was located, the state, or any other entity to which they would belong.

Charter schools operating on August 27, 2012, shall have until August 28, 2015, to meet the requirements of this subsection.

2. Proposed charters shall be subject to the following requirements:

(1) A charter shall be submitted to the sponsor, and follow the sponsor's policies and procedures for review and granting of a charter approval, and be approved by the state board of education by [December first] **January thirty-first** of the year [prior to] **that is** the proposed opening date of the charter school;

(2) A charter may be approved when the sponsor determines that the requirements of this section are met, determines that the applicant is sufficiently qualified to operate a charter school, and that the proposed charter is consistent with the sponsor's charter sponsorship goals and capacity. The sponsor's decision of approval or denial shall be made within ninety days of the filing of the proposed charter;

(3) If the charter is denied, the proposed sponsor shall notify the applicant in writing as to the reasons for its denial and forward a copy to the state board of education within five business days following the denial;

(4) If a proposed charter is denied by a sponsor, the proposed charter may be submitted to the state board of education, along with the sponsor's written reasons for its denial. If the state board determines that the applicant meets the requirements of this section, that the applicant is sufficiently qualified to operate the charter school, and that granting a charter to the applicant would be likely to provide educational benefit to the children of the district, the state board may grant a charter and act as sponsor of the charter school. The state board shall review the proposed charter and make a determination of whether to deny or grant the proposed charter within sixty days of receipt of the proposed charter, provided that any charter to be considered by the state board of education under this subdivision shall be submitted no later than March first prior to the school year in which the charter school intends to begin operations. The state board of education shall notify the applicant in writing as the reasons for its denial, if applicable; and

(5) The sponsor of a charter school shall give priority to charter school applicants that propose a school oriented to high-risk students and to the reentry of dropouts into the school system. If a sponsor grants three or more charters, at least one-third of the charters granted by the sponsor shall be to schools that actively recruit dropouts or high-risk students as their student body and address the needs of dropouts or high-risk students through their proposed mission, curriculum, teaching methods, and services. For purposes of this subsection, a "high-risk" student is one who is at least one year behind in satisfactory completion of course work or obtaining high school credits for graduation, has dropped out of school, is at risk of dropping out of school, needs drug and alcohol treatment, has severe behavioral problems, has been suspended from



school three or more times, has a history of severe truancy, is a pregnant or parenting teen, has been referred for enrollment by the judicial system, is exiting incarceration, is a refugee, is homeless or has been homeless sometime within the preceding six months, has been referred by an area school district for enrollment in an alternative program, or qualifies as high risk under department of elementary and secondary education guidelines. “Dropout” shall be defined through the guidelines of the school core data report. The provisions of this subsection do not apply to charters sponsored by the state board of education.

3. If a charter is approved by a sponsor, the charter application shall be submitted to the state board of education, along with a statement of finding **by the sponsor** that the application meets the requirements of sections 160.400 to 160.425 and section 167.349 and a monitoring plan under which the charter sponsor shall evaluate the academic performance of students enrolled in the charter school. The state board of education [may, within] **has** sixty days[, disapprove the granting of the charter.] **from receipt of the charter application to renew the application. Any charter application received by the state board of education on or before November fifteenth of the year prior to the proposed opening of the charter school shall be considered by the state board of education within the sixty-day period. At the conclusion of the sixty-day period, the charter application shall be deemed approved unless** the state board of education [may disapprove a] **disapproves** the charter on grounds that the application fails to meet the requirements of sections 160.400 to 160.425 and section 167.349 or that a charter sponsor previously failed to meet the statutory responsibilities of a charter sponsor. **Any disapproval of a charter application made by the state board of education shall be in writing and shall identify the specific failures of the application to meet the requirements of sections 160.400 to 160.425 and section 167.349, and the written disapproval shall be provided within five business days to the sponsor.**

4. A charter school shall, as provided in its charter:

(1) Be nonsectarian in its programs, admission policies, employment practices, and all other operations;

(2) Comply with laws and regulations of the state, county, or city relating to health, safety, and state minimum educational standards, as specified by the state board of education, including the requirements relating to student discipline under sections 160.261, 167.161, 167.164, and 167.171, notification of criminal conduct to law enforcement authorities under sections 167.115 to 167.117, academic assessment under section 160.518, transmittal of school records under section 167.020, the minimum number of school days and hours required under section 160.041, and the employee criminal history background check and the family care safety registry check under section 168.133;

(3) Except as provided in sections 160.400 to 160.425, be exempt from all laws and rules relating to schools, governing boards and school districts;

(4) Be financially accountable, use practices consistent with the Missouri financial accounting manual, provide for an annual audit by a certified public accountant, publish audit reports and annual financial reports as provided in chapter 165, provided that the annual financial report may be published on the department of elementary and secondary education’s internet website in addition to other publishing requirements, and provide liability insurance to indemnify the school, its board, staff and teachers against tort claims. A charter school that receives local educational agency status under subsection 6 of this section shall meet the requirements imposed by the Elementary and Secondary Education Act for audits of such agencies and comply with all federal audit requirements for charters with local education agency status. For purposes of an audit by petition under section 29.230, a charter school shall be treated as a political

subdivision on the same terms and conditions as the school district in which it is located. For the purposes of securing such insurance, a charter school shall be eligible for the Missouri public entity risk management fund pursuant to section 537.700. A charter school that incurs debt shall include a repayment plan in its financial plan;

(5) Provide a comprehensive program of instruction for at least one grade or age group from kindergarten through grade twelve, which may include early childhood education if funding for such programs is established by statute, as specified in its charter;

(6) (a) Design a method to measure pupil progress toward the pupil academic standards adopted by the state board of education pursuant to section 160.514, establish baseline student performance in accordance with the performance contract during the first year of operation, collect student performance data as defined by the annual performance report throughout the duration of the charter to annually monitor student academic performance, and to the extent applicable based upon grade levels offered by the charter school, participate in the statewide system of assessments, comprised of the essential skills tests and the nationally standardized norm-referenced achievement tests, as designated by the state board pursuant to section 160.518, complete and distribute an annual report card as prescribed in section 160.522, which shall also include a statement that background checks have been completed on the charter school's board members, report to its sponsor, the local school district, and the state board of education as to its teaching methods and any educational innovations and the results thereof, and provide data required for the study of charter schools pursuant to subsection 4 of section 160.410. No charter school shall be considered in the Missouri school improvement program review of the district in which it is located for the resource or process standards of the program.

(b) For proposed high risk or alternative charter schools, sponsors shall approve performance measures based on mission, curriculum, teaching methods, and services. Sponsors shall also approve comprehensive academic and behavioral measures to determine whether students are meeting performance standards on a different time frame as specified in that school's charter. Student performance shall be assessed comprehensively to determine whether a high risk or alternative charter school has documented adequate student progress. Student performance shall be based on sponsor-approved comprehensive measures as well as standardized public school measures. Annual presentation of charter school report card data to the department of elementary and secondary education, the state board, and the public shall include comprehensive measures of student progress.

(c) Nothing in this subdivision shall be construed as permitting a charter school to be held to lower performance standards than other public schools within a district; however, the charter of a charter school may permit students to meet performance standards on a different time frame as specified in its charter. The performance standards for alternative and special purpose charter schools that target high-risk students as defined in subdivision (5) of subsection 2 of this section shall be based on measures defined in the school's performance contract with its sponsors;

(7) Comply with all applicable federal and state laws and regulations regarding students with disabilities, including sections 162.670 to 162.710, the Individuals with Disabilities Education Act (20 U.S.C. Section 1400) and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794) or successor legislation;

(8) Provide along with any request for review by the state board of education the following:

(a) Documentation that the applicant has provided a copy of the application to the school board of the

district in which the charter school is to be located, except in those circumstances where the school district is the sponsor of the charter school; and

(b) A statement outlining the reasons for approval or disapproval by the sponsor, specifically addressing the requirements of sections 160.400 to 160.425 and 167.349.

5. (1) Proposed or existing high-risk or alternative charter schools may include alternative arrangements for students to obtain credit for satisfying graduation requirements in the school's charter application and charter. Alternative arrangements may include, but not be limited to, credit for off-campus instruction, embedded credit, work experience through an internship arranged through the school, and independent studies. When the state board of education approves the charter, any such alternative arrangements shall be approved at such time.

(2) The department of elementary and secondary education shall conduct a study of any charter school granted alternative arrangements for students to obtain credit under this subsection after three years of operation to assess student performance, graduation rates, educational outcomes, and entry into the workforce or higher education.

6. The charter of a charter school may be amended at the request of the governing body of the charter school and on the approval of the sponsor. The sponsor and the governing board and staff of the charter school shall jointly review the school's performance, management and operations during the first year of operation and then every other year after the most recent review or at any point where the operation or management of the charter school is changed or transferred to another entity, either public or private. The governing board of a charter school may amend the charter, if the sponsor approves such amendment, or the sponsor and the governing board may reach an agreement in writing to reflect the charter school's decision to become a local educational agency. In such case the sponsor shall give the department of elementary and secondary education written notice no later than March first of any year, with the agreement to become effective July first. The department may waive the March first notice date in its discretion. The department shall identify and furnish a list of its regulations that pertain to local educational agencies to such schools within thirty days of receiving such notice.

7. Sponsors shall annually review the charter school's compliance with statutory standards including:

(1) Participation in the statewide system of assessments, as designated by the state board of education under section 160.518;

(2) Assurances for the completion and distribution of an annual report card as prescribed in section 160.522;

(3) The collection of baseline data during the first three years of operation to determine the longitudinal success of the charter school;

(4) A method to measure pupil progress toward the pupil academic standards adopted by the state board of education under section 160.514; and

(5) Publication of each charter school's annual performance report.

8. (1) (a) A sponsor's intervention policies shall give schools clear, adequate, evidence-based, and timely notice of contract violations or performance deficiencies and mandate intervention based upon findings of the state board of education of the following:

a. The charter school provides a high school program which fails to maintain a graduation rate of at least seventy percent in three of the last four school years unless the school has dropout recovery as its mission;

b. The charter school's annual performance report results are below the district's annual performance report results based on the performance standards that are applicable to the grade level configuration of both the charter school and the district in which the charter school is located in three of the last four school years; and

c. The charter school is identified as a persistently lowest achieving school by the department of elementary and secondary education.

(b) A sponsor shall have a policy to revoke a charter during the charter term if there is:

a. Clear evidence of underperformance as [demonstrated in the charter school's annual performance report in three of the last four school years] **determined by the charter school accreditation process outlined in subsection 15 of this section;** or

b. A violation of the law or the public trust that imperils students or public funds.

(c) A sponsor shall revoke a charter or take other appropriate remedial action, which may include placing the charter school on probationary status for no more than twelve months, provided that no more than one designation of probationary status shall be allowed for the duration of the charter contract, at any time if the charter school commits a serious breach of one or more provisions of its charter or on any of the following grounds: failure to meet the performance contract as set forth in its charter, failure to meet generally accepted standards of fiscal management, failure to provide information necessary to confirm compliance with all provisions of the charter and sections 160.400 to 160.425 and 167.349 within forty-five days following receipt of written notice requesting such information, or violation of law.

(2) The sponsor may place the charter school on probationary status to allow the implementation of a remedial plan, which may require a change of methodology, a change in leadership, or both, after which, if such plan is unsuccessful, the charter may be revoked.

(3) At least sixty days before acting to revoke a charter, the sponsor shall notify the governing board of the charter school of the proposed action in writing. The notice shall state the grounds for the proposed action. The school's governing board may request in writing a hearing before the sponsor within two weeks of receiving the notice.

(4) The sponsor of a charter school shall establish procedures to conduct administrative hearings upon determination by the sponsor that grounds exist to revoke a charter. Final decisions of a sponsor from hearings conducted pursuant to this subsection are subject to an appeal to the state board of education, which shall determine whether the charter shall be revoked.

(5) A termination shall be effective only at the conclusion of the school year, unless the sponsor determines that continued operation of the school presents a clear and immediate threat to the health and safety of the children.

(6) A charter sponsor shall make available the school accountability report card information as provided under section 160.522 and the results of the academic monitoring required under subsection 3 of this section.

9. (1) A sponsor shall take all reasonable steps necessary to confirm that each charter school sponsored by such sponsor is in material compliance and remains in material compliance with all material provisions of the charter and sections 160.400 to 160.425 and 167.349. Every charter school shall provide all information necessary to confirm ongoing compliance with all provisions of its charter and sections 160.400 to 160.425 and 167.349 in a timely manner to its sponsor.

(2) The sponsor's renewal process of the charter school shall be based on the thorough analysis of a comprehensive body of objective evidence and consider if:

(a) The charter school has maintained results on its annual performance report that meet or exceed the district in which the charter school is located based on the performance standards that are applicable to the grade-level configuration of both the charter school and the district in which the charter school is located in three of the last four school years;

(b) The charter school is organizationally and fiscally viable determining at a minimum that the school does not have:

a. A negative balance in its operating funds;

b. A combined balance of less than three percent of the amount expended for such funds during the previous fiscal year; or

c. Expenditures that exceed receipts for the most recently completed fiscal year;

(c) The charter is in compliance with its legally binding performance contract and sections 160.400 to 160.425 and section 167.349.

(3) (a) Beginning August first during the year in which a charter is considered for renewal, a charter school sponsor shall demonstrate to the state board of education that the charter school is in compliance with federal and state law as provided in sections 160.400 to 160.425 and section 167.349 and the school's performance contract including but not limited to those requirements specific to academic performance.

(b) Along with data reflecting the academic performance standards indicated in paragraph (a) of this subdivision, the sponsor shall submit a revised charter application to the state board of education for review.

(c) Using the data requested and the revised charter application under paragraphs (a) and (b) of this subdivision, the state board of education shall determine if compliance with all standards enumerated in this subdivision has been achieved. The state board of education at its next regularly scheduled meeting shall vote on the revised charter application.

(d) If a charter school sponsor demonstrates the objectives identified in this subdivision, the state board of education shall renew the school's charter.

10. A school district may enter into a lease with a charter school for physical facilities.

11. A governing board or a school district employee who has control over personnel actions shall not take unlawful reprisal against another employee at the school district because the employee is directly or indirectly involved in an application to establish a charter school. A governing board or a school district employee shall not take unlawful reprisal against an educational program of the school or the school district because an application to establish a charter school proposes the conversion of all or a portion of the educational program to a charter school. As used in this subsection, "unlawful reprisal" means an action that

is taken by a governing board or a school district employee as a direct result of a lawful application to establish a charter school and that is adverse to another employee or an educational program.

12. Charter school board members shall be subject to the same liability for acts while in office as if they were regularly and duly elected members of school boards in any other public school district in this state. The governing board of a charter school may participate, to the same extent as a school board, in the Missouri public entity risk management fund in the manner provided under sections 537.700 to 537.756.

13. Any entity, either public or private, operating, administering, or otherwise managing a charter school shall be considered a quasi-public governmental body and subject to the provisions of sections 610.010 to 610.035.

14. The chief financial officer of a charter school shall maintain:

(1) A surety bond in an amount determined by the sponsor to be adequate based on the cash flow of the school; or

(2) An insurance policy issued by an insurance company licensed to do business in Missouri on all employees in the amount of five hundred thousand dollars or more that provides coverage in the event of employee theft.

**15. (1) The sponsor of each charter school shall adopt a system of classification that accredits charter schools. This system shall be based on the charter school's compliance with terms of the charter school's legally binding performance contract with the sponsor and shall also consider the following:**

**a. The charter school's annual performance report results based on the performance standards that are applicable to the grade level configuration of both the charter school and the district in which the charter school is located;**

**b. If the charter school has a high school program, the graduation rate unless the school has dropout recovery as its mission;**

**c. The charter school's participation in the statewide system of assessments under section 160.518;**

**d. The longitudinal success of the charter school as determined by comparison to the baseline data collected during the first three years of operation;**

**e. The measurement of pupil progress toward the pupil academic standards adopted by the state board of education under section 160.514; and**

**f. If the charter school is identified as a persistently lowest achieving school by the department of elementary and secondary education.**

**(2) The sponsor's system of accreditation shall also consider if the charter school is organizationally and fiscally viable determining at a minimum that the school does not have:**

**a. A negative balance in its operating funds;**

**b. A combined balance of less than three percent of the amount expended for such funds during the previous fiscal year; or**

**c. Expenditures that exceed receipts for the most recently completed fiscal year;**

**(3) The sponsor's system of accreditation shall also consider if the charter school has been placed on probationary status to allow the implementation of a remedial plan.**

**(4) In making accreditation designations, sponsors shall utilize a minimum of three years of performance data.**

**(5) Sponsors shall utilize the accreditation criteria of this subsection in addition to any other applicable requirements of this section when conducting their duties pursuant to subsections 8 and 9 of this section.”; and**

Further amend said bill, page 2, section 161.238, lines 10-14, by striking all of said lines; and further amend said section by renumbering the remaining subsections accordingly; and

Further amend said bill, page 11, section 163.021, line 87, by inserting after all of said line the following:

“163.036. 1. In computing the amount of state aid a school district is entitled to receive for the minimum school term only under section 163.031, a school district may use an estimate of the weighted average daily attendance for the current year, or the weighted average daily attendance for the immediately preceding year or the weighted average daily attendance for the second preceding school year, whichever is greater. Beginning with the 2006-07 school year, the summer school attendance included in the average daily attendance as defined in subdivision (2) of section 163.011 shall include only the attendance hours of pupils that attend summer school in the current year. Beginning with the 2004-05 school year, when a district's official calendar for the current year contributes to a more than ten percent reduction in the average daily attendance for kindergarten compared to the immediately preceding year, the payment attributable to kindergarten shall include only the current year kindergarten average daily attendance. Any error made in the apportionment of state aid because of a difference between the actual weighted average daily attendance and the estimated weighted average daily attendance shall be corrected as provided in section 163.091, except that if the amount paid to a district estimating weighted average daily attendance exceeds the amount to which the district was actually entitled by more than five percent, interest at the rate of six percent shall be charged on the excess and shall be added to the amount to be deducted from the district's apportionment the next succeeding year.

2. Notwithstanding the provisions of subsection 1 of this section or any other provision of law, the state board of education shall make an adjustment for the immediately preceding year for any increase in the actual weighted average daily attendance above the number on which the state aid in section 163.031 was calculated. Said adjustment shall be made in the manner providing for correction of errors under subsection 1 of this section.

3. Any error made in the apportionment of state aid because of a difference between the actual equalized assessed valuation for the current year and the estimated equalized assessed valuation for the current year shall be corrected as provided in section 163.091, except that if the amount paid to a district estimating current equalized assessed valuation exceeds the amount to which the district was actually entitled, interest at the rate of six percent shall be charged on the excess and shall be added to the amount to be deducted from the district's apportionment the next succeeding year.

4. For the purposes of distribution of state school aid pursuant to section 163.031, a school district with

ten percent or more of its assessed valuation that is owned by one person or corporation as commercial or personal property who is delinquent in a property tax payment may elect, after receiving notice from the county clerk on or before March fifteenth that more than ten percent of its current taxes due the preceding December thirty-first by a single property owner are delinquent, to use in the local effort calculation of the state aid formula the district's equalized assessed valuation for the preceding year or the actual assessed valuation of the year for which the taxes are delinquent less the assessed valuation of property for which the current year's property tax is delinquent. To qualify for use of the actual assessed valuation of the year for which the taxes are delinquent less the assessed valuation of property for which the current year's property tax is delinquent, a district must notify the department of elementary and secondary education on or before April first, except in the year enacted, of the current year amount of delinquent taxes, the assessed valuation of such property for which delinquent taxes are owed and the total assessed valuation of the district for the year in which the taxes were due but not paid. Any district giving such notice to the department of elementary and secondary education shall present verification of the accuracy of such notice obtained from the clerk of the county levying delinquent taxes. When any of the delinquent taxes identified by such notice are paid during a four-year period following the due date, the county clerk shall give notice to the district and the department of elementary and secondary education, and state aid paid to the district shall be reduced by an amount equal to the delinquent taxes received plus interest. The reduction in state aid shall occur over a period not to exceed five years and the interest rate on excess state aid not refunded shall be six percent annually.

5. If a district receives state aid based on equalized assessed valuation as determined by subsection 4 of this section and if prior to such notice the district was paid state aid pursuant to section 163.031, the amount of state aid paid during the year of such notice and the first year following shall equal the sum of state aid paid pursuant to section 163.031 plus the difference between the state aid amount being paid after such notice minus the amount of state aid the district would have received pursuant to section 163.031 before such notice. To be eligible to receive state aid based on this provision the district must levy during the first year following such notice at least the maximum levy permitted school districts by article X, section 11(b) of the Missouri Constitution and have a voluntary rollback of its tax rate which is no greater than one cent per one hundred dollars assessed valuation.

**6. Notwithstanding the provisions of subsection 1 of this section, any district in which the local school board sponsors a charter school as provided in section 160.400 shall only be permitted to use an estimate of the district's weighted average daily attendance for the current year and shall not be permitted to use a weighted average daily attendance count from any preceding year for purposes of determining the amount of state aid to which the district is entitled.”; and**

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered SA 17, which was read:

#### SENATE AMENDMENT NO. 17

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 20, Section 167.826, Lines 21-22, by striking the words “fifth cycle of the”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.



Senator Pearce offered **SA 18**:

SENATE AMENDMENT NO. 18

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 22, Section 167.827, Line 3, by striking the words “or an unaccredited school”; and further amend line 5 by striking the words “or unaccredited school”; and further amend line 10 by striking the words “or school”; and further amend line 18 by striking the words “or unaccredited school”.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered **SA 19**:

SENATE AMENDMENT NO. 19

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 23, Section 167.827, Line 26, by inserting after “year.” the following: “**Each education authority shall adopt a policy giving enrollment preference to the lowest achieving students from low-income families if sufficient enrollment slots are not available to enroll all students who apply, while following the order of priority of this subsection.**”.

Senator Chappelle-Nadal moved that the above amendment be adopted.

Senator Silvey offered **SA 1** to **SA 19**:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 19

Amend Senate Amendment No. 19 to Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 1, Line 4, by striking the words “from low-income families”.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

**SA 19**, as amended, was again taken up.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe assumed the Chair.

Senator Dempsey offered **SA 20**, which was read:

SENATE AMENDMENT NO. 20

Amend Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 and 624, Page 2, Section 161.238, Line 8, by striking the words “sixty-five” and inserting in lieu thereof the following: “**fifty-five**”.

Senator Dempsey moved that the above amendment be adopted, which motion prevailed.

Senator Pearce moved that **SCS** for **SBs 493, 485, 495, 516, 534, 545, 595, 616** and **624**, as amended, be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS** for **SBs 493, 485, 495, 516, 534, 545, 595, 616** and **624**, as amended, was declared perfected and ordered printed.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1468**, entitled:

An Act to repeal section 287.090, RSMo, and to enact in lieu thereof one new section relating to volunteers for tax-exempt organizations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1616**, entitled:

An Act to repeal section 205.190, RSMo, and to enact in lieu thereof one new section relating to county hospital trustees.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1079**, entitled:

An Act to repeal sections 379.011 and 379.012, RSMo, and to enact in lieu thereof two new sections relating to insurance documents.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1087**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial bridge.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1141**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of

a highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1201**, entitled:

An Act to repeal section 444.772, RSMo, and to enact in lieu thereof one new section relating to surface mining.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1222**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to highway designations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1238**, entitled:

An Act to repeal section 488.426, RSMo, and to enact in lieu thereof one new section relating to court filing fees.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1361**, entitled:

An Act to repeal sections 379.316, 384.015, 384.017, 384.021, and 384.023, RSMo, and to enact in lieu thereof six new sections relating to domestic surplus lines insurers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HCS** for **HB 1376**, entitled:

An Act to repeal sections 400.9-102, 400.9-105, 400.9-311, 400.9-317, 400.9-326, 400.9-503, 400.9-507, 400.9-516, 400.9-607, 400.9-802, 400.9-805, 400.9-806, and 400.2A-103, RSMo, and to enact in lieu thereof thirteen new sections relating to secured transactions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1523**, entitled:

An Act to repeal section 402.134, RSMo, and to enact in lieu thereof one new section relating to endowment funds, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HCR 7**.

HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE CONCURRENT RESOLUTION NO. 7

WHEREAS, Article I, Section VIII of the United States Constitution requires the United States Congress to regulate the value of our currency and maintain strict control over the monetary policy of the United States of America; and

WHEREAS, since its institution in 1913, the Federal Reserve Bank of the United States, by inflating the money supply and manipulating interest rates, has eroded the purchasing power of the dollar by approximately 95%, created price instability, and has contributed to boom and bust business cycles; and

WHEREAS, the Federal Reserve Bank of the United States and the United States Treasury have levied the burden of debt on American taxpayers to the degree of several trillion dollars; and

WHEREAS, a partial audit of the Federal Reserve has informed the American people that trillions of dollars were used to bail out foreign banks without the consent of the United States Congress; and

WHEREAS, agreements made by the Federal Reserve with foreign powers and foreign banking institutions should be subject to Congressional oversight; and

WHEREAS, the Federal Reserve refuses to fully disclose the details of its emergency lending practices; and

WHEREAS, allowing the Federal Reserve to operate our nation's monetary system without full disclosure and transparency has led to a lower quality of life for the American people and abuse verified by the United States Government Accountability Office in its 2011 Report to Congress; and

WHEREAS, a complete audit of the Federal Reserve, for the first time in its history, would provide answers to the American people about how our money is being spent, where our money is being spent, and at what cost:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urge the United States Congress to pass the Federal Reserve Transparency Act to require a complete audit of the Federal Reserve Bank of the United States in order to hold the Federal Reserve accountable to the United States Congress and the American people in accordance with Article I, Section VIII of the United States Constitution, which pertains to monetary policy that directly impacts the nation's immediate economic environment; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Chairman of the Federal Reserve Bank of the United States; Secretary of the Treasury of the United States; John Boehner, Speaker of the United States House of Representatives; Harry Reid, Majority Leader of the United States Senate; and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

**SENATE BILLS FOR PERFECTION**

Senator Silvey moved that **SB 635**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 635**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 635**

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to incentives for interstate business relocation.

Was taken up.

Senator Silvey moved that **SCS** for **SB 635** be adopted.

Senator Silvey offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for Senate Bill No. 635, Page 2, Section 135.1670, Line 34, by inserting at the end of said line the following: “**The provisions of subsection 2 of this section shall not apply to incentives reserved on behalf of and awarded to Missouri employers prior to the provisions of subsection 2 of this section taking effect.**”.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

Senator Silvey moved that **SCS** for **SB 635**, as amended, be adopted, which motion prevailed.

On motion of Senator Silvey, **SCS** for **SB 635**, as amended, was declared perfected and ordered printed.

Senator Brown moved that **SB 735**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 735**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 735**

An Act to amend chapter 419, RSMo, by adding thereto one new section relating to campgrounds, with penalty provisions.

Was taken up.

Senator Brown moved that **SCS** for **SB 735** be adopted.

At the request of Senator Brown, **SB 735**, with **SCS** (pending), was placed on the Informal Calendar.

On motion of Senator Richard, the Senate recessed until 9:45 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Kehoe.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SBs 493, 485, 495, 516, 534, 545, 595, 616 and 624**; and **SCS** for **SB 635**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### **REFERRALS**

President Pro Tem Dempsey referred **SCS** for **SBs 493, 485, 495, 516, 534, 545, 595, 616 and 624** to the Committee on Governmental Accountability and Fiscal Oversight.

### **INTRODUCTIONS OF GUESTS**

Senator Pearce introduced to the Senate, Densil and Cyndi Allen, and their daughter, Emma; Warrensburg R-VI Gifted Association of Missouri.

Senator Romine introduced to the Senate, Ste. Genevieve Gifted Students.

Senator Schmitt introduced to the Senate, Debbie Welcher and her daughter, Sydney, Des Peres; and Sydney was made an honorary page.

Senator Holsman introduced to the Senate, Dr. Jared Gerhardt, Kansas City.

Senator Brown introduced to the Senate, Lori Laughlin, Diane Davis and thirty gifted students from Waynesville.

Senator Schaaf introduced to the Senate, members of Missouri Hospice and Palliative Care Association.

Senator Lager introduced to the Senate, East Buchanan R-I Gifted Students.

On behalf of Senator Dempsey and himself, Senator Rupp introduced to the Senate, his parents, Chester, Jr. and Eleanor Rupp, St. Charles.

Senator Schaefer introduced to the Senate, his wife, Stacia, their son, Max, and gifted students from Rock Bridge High School, Columbia.

Senator Sifton introduced to the Senate, gifted students from Maplewood and Richmond Heights Middle School.

Senator Rupp introduced to the Senate, the Physician of the Day, Charles “Rick” Bowen, M.D., St. Louis.

On behalf of Senator Kehoe, the President introduced to the Senate, his wife, Claudia, Jefferson City.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

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TWENTY-NINTH DAY—THURSDAY, FEBRUARY 27, 2014

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 831-Wallingford	SB 859-Brown
SB 832-Walsh	SB 860-Cunningham
SB 833-Walsh	SB 861-Schaefer
SB 834-Walsh	SB 862-Lager
SB 835-Munzlinger	SB 863-Emery
SB 836-Munzlinger	SB 864-Schaaf
SB 837-Sifton	SB 865-Nieves
SB 838-Emery	SB 866-Wasson
SB 839-Sater	SB 867-Wasson
SB 840-Pearce	SB 868-Sater
SB 841-Wasson	SB 869-Schmitt
SB 842-Parson	SB 870-Holsman
SB 843-Schaefer	SB 871-Holsman
SB 844-Dixon	SB 872-Wallingford and Justus
SB 845-Chappelle-Nadal	SB 873-Brown
SB 846-Richard	SB 874-Wasson
SB 847-Schaaf	SB 875-Sater
SB 848-LeVota	SB 876-LeVota
SB 849-Walsh	SB 877-Kraus
SB 850-Munzlinger	SB 878-Lamping
SB 852-Schmitt	SB 879-Sifton
SB 853-Wasson	SB 880-Sifton
SB 854-Wasson	SB 881-Sifton
SB 855-Schaefer	SB 882-Brown
SB 856-Emery	SB 883-Wasson
SB 857-Holsman	SB 884-Wallingford and Sater
SB 858-Kraus	SB 885-Pearce

SB 886-Schaefer	SB 925-Emery
SB 887-Schaefer	SB 926-Sater
SB 888-Parson	SB 927-Lamping
SB 889-Parson	SB 928-Lamping
SB 890-Kehoe	SB 929-Lamping
SB 891-Kehoe	SB 930-Lamping
SB 892-Kraus	SB 931-Nieves
SB 893-Kraus	SB 932-Nieves
SB 894-Munzlinger	SB 933-Nieves
SB 895-Sater	SB 934-Schaaf
SB 896-Wallingford	SB 935-Holsman
SB 897-Wallingford	SB 936-Schaefer
SB 898-Schaefer	SB 937-Schaefer
SB 899-Justus and Schaaf	SB 938-Pearce
SB 900-Lamping	SB 939-Curls
SB 901-Holsman	SB 940-Curls
SB 902-Munzlinger	SB 941-Curls, et al
SB 903-Silvey	SB 942-Sater
SB 904-Sifton	SB 943-Justus
SB 905-Sater	SB 944-Brown, et al
SB 906-Holsman	SB 945-Brown, et al
SB 907-Richard	SB 946-Dixon
SB 908-Schaefer	SB 947-Dixon
SB 909-Parson and Kehoe	SB 948-Wallingford
SB 910-Schaaf	SB 949-Munzlinger
SB 911-Libla	SB 950-Holsman
SB 912-Wasson	SB 951-Holsman
SB 913-Wasson and Cunningham	SB 952-Dixon
SB 914-Munzlinger	SB 953-Nasheed
SB 915-Dixon	SB 954-Cunningham
SB 916-Wallingford	SB 955-Cunningham
SB 917-Richard	SJR 49-Cunningham
SB 918-Holsman	SJR 50-Lamping
SB 919-Justus	SJR 51-Lamping
SB 920-Munzlinger	SJR 52-Lamping
SB 921-Schaaf	SJR 53-Lamping
SB 922-Schaaf	SJR 54-Lamping
SB 923-Emery	SJR 55-Nieves
SB 924-Emery	



## HOUSE BILLS ON SECOND READING

HB 1430-Jones (110), et al	HB 1206-Wilson
HCS for HB 1058	HCS for HB 1217
HB 1133-Engler, et al	HB 1270-Lant, et al
HCS for HB 1051	HB 1301-Neth
HJR 48-Solon, et al	HB 1468-Dorhman, et al
HJR 72-Richardson, et al	HB 1616-Muntzel, et al
HCS for HB 1412	HCS for HB 1079
HCS for HBs 1253 & 1297	HB 1087-Crawford and Franklin
HCS for HB 1295	HB 1141-Love, et al
HCS for HB 1510	HCS for HB 1201
HCS for HB 1044	HB 1222-Dugger
HB 1081-McCaherty, et al	HB 1238-Hinson
HCS for HB 1085	HB 1361-Gosen and Wieland
HB 1126-Dugger and Entlicher	HCS for HB 1376
HB 1197-Elmer	HCS for HB 1523

## THIRD READING OF SENATE BILLS

SCS for SB 529-Wallingford	SCS for SB 666-Schmitt (In Fiscal Oversight)
SCS for SB 664-Brown (In Fiscal Oversight)	SCS for SBs 493, 485, 495, 516, 534,
SB 561-Munzlinger	545, 595, 616 & 624-Pearce (In
SS for SB 525-Cunningham	Fiscal Oversight)
SCS for SJR 45-Silvey (In Fiscal Oversight)	SCS for SB 635-Silvey and Holsman
SCS for SB 567-Chappelle-Nadal (In	
Fiscal Oversight)	

## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

SB 491-Justus and Dixon, with SCS	SS for SB 543-Munzlinger
SB 504-Munzlinger	SB 575-Dixon
SBs 509 & 496-Kraus, with SCS & SA 1	SB 612-Schaaf, with SCS
(pending)	SB 643-Rupp, with SCS
SB 518-Sater, with SCS, SA 2 & SA 1 to	SB 663-Munzlinger, with SCS
SA 2 (pending)	SB 735-Brown, with SCS (pending)
SB 519-Sater, with SS & SA 1 (pending)	SJR 42-Schmitt
SB 530-Libla, with SCS (pending)	

CONSENT CALENDAR

Senate Bills

Reported 2/20

SB 606-Dixon

SB 600-Sater

RESOLUTIONS

To be Referred

SCR 37-Kehoe

HCS for HCR 7

SCR 38-Lamping

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# Journal of the Senate

## SECOND REGULAR SESSION

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**TWENTY-NINTH DAY—THURSDAY, FEBRUARY 27, 2014**

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The Senate met pursuant to adjournment.

Senator Lager in the Chair.

Reverend Carl Gauck offered the following prayer:

“Now to him who by the power at work within us is able to accomplish abundantly far more than all we can ask or imagine.” (Ephesians 3:20)

Merciful God, we are thankful that we have been brought up in a land in which Your Word is open to us and in which our worshiping communities are welcoming men and women of every race and nation. We also give thanks that we possess liberty of conscience and freedom of speech and worship which we can exercise this weekend. So bring us nearer to the day when all men and women will know You and love You and have knowledge of what is expected of us, Your children. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—32

Absent—Senators—None

Absent with leave—Senator Wasson—1

Vacancies—1

The Senate observed a moment of silence in memory of Lt. Bruce Britt.

## RESOLUTIONS

Senator Cunningham offered Senate Resolution No. 1486, regarding Captain Dwayne F. Isringhausen,

Mountain Grove, which was adopted.

Senator Sifton offered Senate Resolution No. 1487, regarding Sam Pointer, Saint Louis, which was adopted.

Senator Sater offered Senate Resolution No. 1488, regarding Mike Wallace, Monett, which was adopted.

Senator Schaefer offered Senate Resolution No. 1489, regarding Sara Ashbaugh, Columbia, which was adopted.

Senator Sifton offered Senate Resolution No. 1490, regarding Caleb Duttlinger, which was adopted.

Senator Holsman offered Senate Resolution No. 1491, regarding Grandview C-4 School District, which was adopted.

Senator Holsman offered Senate Resolution No. 1492, regarding Bob Bartman, which was adopted.

Senator Holsman offered Senate Resolution No. 1493, regarding MAC Properties Management and Amour Development, which was adopted.

Senator Holsman offered Senate Resolution No. 1494, regarding Denise Gilmore, which was adopted.

Senator Nasheed offered Senate Resolution No. 1495, regarding Reverend Dr. W.E. Marshall, which was adopted.

Senator Kehoe offered Senate Resolution No. 1496, regarding Allen Fortenberry, which was adopted.

Senator Parson offered Senate Resolution No. 1497, regarding Tristan Andrews, which was adopted.

### **CONCURRENT RESOLUTIONS**

Senator Parson offered the following concurrent resolution:

#### **SENATE CONCURRENT RESOLUTION NO. 39**

Relating to authorization for the issuance of bonds for certain state and university projects.

WHEREAS, Section 21.527, RSMo, requires approval of the General Assembly that certain projects to be funded by revenue bonds shall be secured by a pledge of future appropriations to be made by the General Assembly; and

WHEREAS, the General Assembly is desirous of approving the construction, renovation, and maintenance of certain state projects to be funded in part by revenue bonds secured by a pledge of future appropriations to be made by the General Assembly:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby approve projects for the construction, renovation, and maintenance of certain state agencies and universities; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly state the intent of the General Assembly, during each fiscal year of the state during the term of such revenue bonds, to appropriate funds sufficient to pay the debt service on such revenue bonds; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly authorize and direct the Office of Administration and such other state departments, offices and agencies as the Office of Administration may deem necessary or appropriate to:

1. Assist the staff and advisors of the various state agencies in implementing the projects and in issuing such revenue bonds for the state's share of the project costs; and

2. Execute and deliver documents and certificates related to such revenue bonds consistent with the terms of this concurrent resolution; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

### **INTRODUCTION OF BILLS**

The following Bills and Joint Resolutions were read the 1st time and ordered printed:

**SB 956**—By Schaaf.

An Act to amend chapter 191, RSMo, by adding thereto three new sections relating to health care transparency, with a penalty provision.

**SB 957**—By Holsman.

An Act to amend chapter 542, RSMo, by adding thereto two new sections relating to law enforcement agency investigations.

**SB 958**—By Nieves.

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to sales and use tax exemptions for aircraft.

Senator Kraus assumed the Chair.

**SB 959**—By Curls.

An Act to amend chapter 172, RSMo, by adding thereto one new section relating to the establishment of a center to conduct applied urban research and outreach.

**SB 960**—By Munzlinger.

An Act to repeal section 315.015, RSMo, and to enact in lieu thereof one new section relating to county licensing fees for lodging establishments.

**SB 961**—By Nasheed.

An Act to amend chapter 99, RSMo, by adding thereto one new section relating to tax increment financing.

**SB 962**—By Justus.

An Act to repeal sections 213.010, 213.030, 213.040, 213.045, 213.050, 213.055, 213.065, 213.070, and 213.101, RSMo, and to enact in lieu thereof nine new sections relating to discrimination based on sexual orientation or gender identity.

**SB 963**—By Justus.

An Act to repeal sections 213.010, 213.030, 213.040, 213.045, 213.050, 213.055, 213.065, 213.070, and 213.101, RSMo, and to enact in lieu thereof nine new sections relating to discriminatory practices.

**SB 964**—By Lager.

An Act to repeal sections 144.010, 262.900, 265.300, 267.565, and 277.020, RSMo, and to enact in lieu thereof five new sections relating to the definition of livestock.

**SB 965**—By Lager.

An Act to amend chapter 643, RSMo, by adding thereto one new section relating to carbon dioxide emissions standards.

**SB 966**—By Lager.

An Act to repeal sections 105.450 and 105.470, RSMo, section 105.473 as enacted by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof four new sections relating to regulating the ethical behavior of professionals engaged in political activities.

**SB 967**—By Lager.

An Act to repeal sections 77.080, 79.130, 80.110, and 80.120, RSMo, and to enact in lieu thereof fourteen new sections relating to the passage of municipal ordinances.

**SB 968**—By Lager.

An Act to repeal sections 259.010, 259.030, 259.040, 259.050, 259.070, 259.080, 259.100, 259.190, 260.273, 260.279, 260.380, 260.392, 260.475, 444.510, 444.520, 444.762, 444.765, 444.805, 640.100, 643.079, 644.051, 644.057, and 644.145, RSMo, and to enact in lieu thereof twenty-six new sections relating to the department of natural resources, with penalty provisions.

**SB 969**—By Kehoe.

An Act to repeal sections 287.140 and 287.150, RSMo, and to enact in lieu thereof two new sections relating to workers' compensation, with existing penalty provisions.

**SB 970**—By Kehoe.

An Act to repeal sections 142.803 and 142.869, RSMo, and to enact in lieu thereof two new sections relating to natural gas motor fuel, with an existing penalty provision.

**SB 971**—By Kehoe.

An Act to repeal section 198.070, RSMo, and to enact in lieu thereof one new section relating to sexual assault reporting, with existing penalty provisions.

**SB 972**—By Kehoe.

An Act to repeal section 538.300, RSMo, and to enact in lieu thereof one new section relating to remittitur orders in tort actions based on improper health care.

**SB 973**—By Brown.

An Act to repeal section 37.710, RSMo, and to enact in lieu thereof one new section relating to the duties of the office of the child advocate.

Senator Nieves assumed the Chair.

**SB 974**—By Rupp.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to managed care organizations reporting requirements.

**SB 975**—By Emery.

An Act to repeal section 490.065, RSMo, and to enact in lieu thereof one new section relating to expert witnesses.

**SB 976**—By Emery.

An Act to repeal sections 106.030, 106.040, 106.070, 106.080, 106.090, 106.100, 106.110, 106.120, 106.130, 106.150, 106.160, 106.170, 106.180, 106.200, and 106.210, RSMo, and to enact in lieu thereof twelve new sections relating to impeachment trials, with a contingent effective date.

**SB 977**—By Schmitt.

An Act to repeal section 208.166, RSMo, and to enact in lieu thereof one new section relating to managed care plan health incentives.

**SB 978**—By Schmitt.

An Act to repeal section 351.467, RSMo, and to enact in lieu thereof one new section relating to the discontinuation of corporations.

**SB 979**—By Schaefer.

An Act to repeal section 287.243, RSMo, and to enact in lieu thereof one new section relating to compensation for emergency personnel killed in the line of duty.

**SB 980**—By Schaefer.

An Act to repeal sections 104.380 and 104.1039, RSMo, and to enact in lieu thereof three new sections relating to the calculation of creditable service for rehired retired state employees.

**SB 981**—By Schaefer.

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to state contracting.

**SB 982**—By Schaefer.

An Act to repeal sections 566.010, 566.030, 566.032, 566.060, 566.062, 566.067, 566.068, 566.100, and 566.101, RSMo, and to enact in lieu thereof nine new sections relating to penalties for sex offenses, with penalty provisions.

**SB 983**—By Pearce.

An Act to repeal section 173.670, RSMo, and to enact in lieu thereof one new section relating to the Missouri science, technology, engineering and mathematics initiative.

**SB 984**—By Sifton.

An Act to amend chapter 167, RSMo, by adding thereto three new sections relating to the management of dyslexia in elementary and secondary schools.

**SB 985**—By Sifton.

An Act to repeal section 478.437, RSMo, and to enact in lieu thereof two new sections relating to judgeships.

**SB 986**—By Sifton.

An Act to repeal section 213.020, RSMo, and to enact in lieu thereof one new section relating to the Missouri human rights act.

**SB 987**—By Lamping.

An Act to amend chapter 144, RSMo, by adding thereto one new section relating to the use of sales and use tax revenue for transportation, with a contingent effective date.

**SB 988**—By Lamping.

An Act to amend chapter 324, RSMo, by adding thereto seven new sections relating to the regulation of homeowners associations, with penalty provisions.

**SB 989**—By Lamping.

An Act to repeal sections 177.011 and 177.088, RSMo, and to enact in lieu thereof two new sections relating to school facilities and equipment.

**SB 990**—By Lamping.

An Act to repeal sections 211.442, 211.444, 453.010, 453.040, 453.065, 453.080, and 453.110, RSMo, and to enact in lieu thereof eight new sections relating to adoption, with existing penalty provisions.

**SB 991**—By Kraus.

An Act to amend chapter 44, RSMo, by adding thereto one new section relating to mutual-aid agreements for reciprocal emergency aid.

**SB 992**—By Dempsey.

An Act to repeal section 8.010, RSMo, and to enact in lieu thereof one new section relating to the board of public buildings.

**SB 993**—By Dempsey.

An Act to repeal section 162.081, RSMo, and to enact in lieu thereof three new sections relating to elementary and secondary education.

**SJR 56**—By Dixon.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article III of the Constitution of Missouri, by adding thereto one new section relating to general obligation bonds to fund infrastructure improvements.

**SJR 57**—By Lager.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article X of the Constitution of Missouri, adding thereto one new section relating to taxation.

**CONCURRENT RESOLUTIONS**

Senator Lager offered the following concurrent resolution:

**SENATE CONCURRENT RESOLUTION NO. 40**

WHEREAS, a reliable and affordable energy supply is vital to Missouri's economic growth, jobs, and overall interests of its citizens; and  
WHEREAS, Missouri supports an all-the-above energy strategy because it is in the best interest of Missouri and the nation; and



WHEREAS, the United States has abundant supplies of coal that provide economic and energy security benefits; and

WHEREAS, coal provides affordable and reliable electricity to the citizens of Missouri; and

WHEREAS, carbon regulations for existing coal-fueled power plants could threaten the affordability and reliability of Missouri's electricity supplies and, therefore, threaten the well-being of its citizens; and

WHEREAS, carbon dioxide emissions from U.S. coal-fueled power plants represent only three percent of global anthropogenic greenhouse gas emissions; and

WHEREAS, the U.S. Energy Information Administration projects that U.S. electric sector carbon dioxide emissions will be fourteen percent below 2005 levels in 2020 and that carbon dioxide emissions from U.S. coal-fueled power plants will be nineteen percent below 2005 levels in 2020; and

WHEREAS, on June 25, 2013, the President directed the Administrator of the U.S. Environmental Protection Agency (EPA) to issue standards, regulations, or guidelines to address carbon dioxide emissions from new, existing, modified, and reconstructed fossil-fueled power plants; and

WHEREAS, the President expressly recognized that states “will play a central role in establishing and implementing carbon standards for existing power plants”; and

WHEREAS, the Clean Air Act requires the EPA to establish a “procedure” under which each state shall develop a plan for establishing and implementing standards of performance for existing sources within the state; and

WHEREAS, the Clean Air Act expressly allows states, in developing and applying such standards of performance, “to take into consideration, among other factors, the remaining useful life of the existing source to which such standard applies”; and

WHEREAS, the EPA’s existing regulations provide that states may adopt “less stringent emissions standards or longer compliance schedules” than EPA’s guidelines based on factors such as “unreasonable cost of control”, “physical impossibility of installing necessary control equipment”, or other factors that make less stringent standards or longer compliance times “significantly more reasonable”; and

WHEREAS, it is in the best interest of electricity consumers in Missouri to continue to benefit from reliable, affordable electricity provided by coal-based electricity generating plants:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the EPA, in developing guidelines for regulating carbon dioxide emissions from existing power plants, to respect the primacy of Missouri and other states and to rely on state regulators to develop performance standards for carbon dioxide emissions that take into account the unique policies, energy needs, resource mix, and economic priorities of Missouri and other states; and

BE IT FURTHER RESOLVED that the EPA should issue guidelines and approve state-established performance standards that are based on reductions of carbon dioxide emissions achievable by measures undertaken at fossil-fueled power plants; and

BE IT FURTHER RESOLVED that the EPA should allow Missouri and other states to set less stringent performance standards and longer compliance schedules for power plants within their jurisdiction; and

BE IT FURTHER RESOLVED that Missouri and other states should be given maximum flexibility by the EPA to implement carbon dioxide performance standards for fossil-fueled power plants within their jurisdiction; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for Administrator of the United States Environmental Protection Agency and each member of the Missouri Congressional delegation.

President Pro Tem Dempsey assumed the Chair.

## **REPORTS OF STANDING COMMITTEES**

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SCS for SB 666**; **SCS for SB 664**; **SCS for SB 567**; **SCS for SJR 45**; and **SCS for SBs 493, 485, 495, 516, 534, 545, 595, 616 and 624**, begs leave to report that it has considered the same and recommends

that the bills do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 723**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Nieves assumed the Chair.

### **SENATE BILLS FOR PERFECTION**

Senator Brown moved that **SB 735**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Brown moved that **SCS** for **SB 735** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **SB 735** was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 504** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Munzlinger, **SB 504** was declared perfected and ordered printed.

Senator Rupp moved that **SB 643**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 643**, entitled:

### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 643**

An Act to repeal sections 3.010, 3.066, and 3.090, RSMo, and to enact in lieu thereof three new sections relating to the publishing of Missouri statutes.

Was taken up.

Senator Rupp moved that **SCS** for **SB 643** be adopted.

Senator Rupp offered **SA 1**:

### **SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for Senate Bill No. 643, Page 1, Section 3.010, Line 7, by inserting immediately after the word “annotations” the following: “**or supplements**”; and further amend said line by inserting immediately after the word “separately” the following: “**and without a concurrent resolution being adopted by the general assembly**”; and

Further amend said bill, page 2, section 3.066, line 17, by inserting immediately after “grounds,” the following: “**the Missouri attorney general shall notify the Missouri revisor of statutes of any such order and**”; and further amend line 18, by striking the word “statues” and inserting in lieu thereof the word “**statutes**”; and further amend said line by striking the word “immediately”; and further amend line 24, by striking the word “immediately”; and

Further amend said bill, page 3, section 3.090, line 26, by inserting immediately after “website.” the

following: “**However, the online version of the revised statutes on any official website of the committee on legislative research shall not be considered an official version of the revised statutes, unless the revisor of statutes chooses to certify it as such and places a certificate on the website.**”.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Sifton offered **SA 2**, which was read:

#### SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 643, Page 2, Section 3.066, Line 14, by striking “issues” and inserting “publishes”.

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

Senator Rupp moved that **SCS** for **SB 643**, as amended, be adopted, which motion prevailed.

On motion of Senator Rupp, **SCS** for **SB 643**, as amended, was declared perfected and ordered printed.

### THIRD READING OF SENATE BILLS

**SCS** for **SB 529**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 529

An Act to repeal sections 34.057 and 107.170, RSMo, and to enact in lieu thereof two new sections relating to the payment of public works projects.

Was taken up by Senator Wallingford.

On motion of Senator Wallingford, **SCS** for **SB 529** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—32

#### NAYS—Senators—None

#### Absent—Senators—None

#### Absent with leave—Senator Wasson—1

#### Vacancies—1

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 664**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 664

An Act to amend chapter 644, RSMo, by adding thereto one new section relating to water quality standards.

Was taken up by Senator Brown.

On motion of Senator Brown, **SCS** for **SB 664** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Kehoe
Kraus	Lager	Lamping	Libla	Munzlinger	Nieves	Parson	Pearce
Richard	Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey
Wallingford	Walsh—26						

NAYS—Senators

Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton—6		
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Absent—Senators—None

Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 561**, introduced by Senator Munzlinger, entitled:

An Act to repeal sections 320.106 and 320.111, RSMo, and to enact in lieu thereof two new sections relating to hobby firework manufacturing, with an existing penalty provision.

Was taken up.

On motion of Senator Munzlinger, **SB 561** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS** for **SB 525**, introduced by Senator Cunningham, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 525

An Act to amend chapter 196, RSMo, by adding thereto two new sections relating to food safety.

Was taken up.

On motion of Senator Cunningham, **SS** for **SB 525** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Walsh—30		

NAYS—Senators

Keaveny      Sifton—2

Absent—Senators—None

Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SJR 45**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE JOINT RESOLUTION NO. 45

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 27 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the ability of the governor to control the rate of and reduce expenditures.

Was taken up by Senator Silvey.

On motion of Senator Silvey, **SCS** for **SJR 45** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh—28				

## NAYS—Senators

Keaveny	Schaaf—2
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## Absent—Senators

Justus	Rupp—2
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Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the joint resolution passed.

On motion of Senator Silvey, title to the joint resolution was agreed to.

Senator Silvey moved that the vote by which the joint resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 567**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 567

An Act to repeal sections 660.400, 660.403, 660.405, 660.407, 660.409, 660.411, 660.414, 660.416, 660.418, and 660.420, RSMo, and to enact in lieu thereof sixteen new sections relating to adult day care, with penalty provisions.

Was taken up by Senator Chappelle-Nadal.

On motion of Senator Chappelle-Nadal, **SCS** for **SB 567** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh—29			

## NAYS—Senator Kraus—1

## Absent—Senators

Justus	Rupp—2
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Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Chappelle-Nadal, title to the bill was agreed to.

Senator Chappelle-Nadal moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

At the request of Senator Schmitt, **SCS** for **SB 666** was placed on Informal Calendar.

**SCS** for **SBs 493, 485, 495, 516, 534, 545, 595, 616** and **624**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE  
BILLS NOS. 493, 485, 495, 516, 534,  
545, 595, 616 and 624

An Act to repeal sections 160.400, 160.405, 162.081, 163.021, 163.036, 167.121, 167.131, and 171.031, RSMo, and to enact in lieu thereof thirty-one new sections relating to elementary and secondary education, with an emergency clause.

Was taken up by Senator Pearce.

On motion of Senator Pearce, **SCS** for **SBs 493, 485, 495, 516, 534, 545, 595, 616** and **624** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Keaveny
Kehoe	Lager	Lamping	Munzlinger	Nasheed	Nieves	Parson	Pearce
Richard	Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh—27					

NAYS—Senators

Holsman	Justus	Kraus	LeVota	Libla—5
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Absent—Senators—None

Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Lager	Lamping	Munzlinger	Nasheed	Nieves	Parson
Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh—28				

NAYS—Senators

Holsman	Kraus	LeVota	Libla—4
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Absent—Senators—None

Absent with leave—Senator Wasson—1

Vacancies—1

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 635**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 635**

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to incentives for interstate business relocation.

Was taken up by Senator Silvey.

On motion of Senator Silvey, **SCS** for **SB 635** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—30		

NAYS—Senators

Emery              Libla—2

Absent—Senators—None

Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Silvey, title to the bill was agreed to.

Senator Silvey moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SECOND READING OF  
CONCURRENT RESOLUTIONS**

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

**SCR 37**—Rules, Joint Rules, Resolutions and Ethics.

**REFERRALS**

President Pro Tem Dempsey referred **SCR 38** and **HCS** for **HCR 7**, to the Committee on Rules, Joint Rules, Resolutions and Ethics.



**THIRD READING OF SENATE BILLS**

**SB 606**, introduced by Senator Dixon, entitled:

An Act to repeal section 379.901, RSMo, relating to prepaid legal service plans.

Was called from the Consent Calendar and taken up.

On motion of Senator Dixon, **SB 606** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lamping	LeVota	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh—29			

## NAYS—Senator Libla—1

## Absent—Senators

Justus              Lager—2

Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 600**, introduced by Senator Sater, entitled:

An Act to repeal section 301.3142, RSMo, and to enact in lieu thereof one new section relating to gold star license plates.

Was called from the Consent Calendar and taken up.

On motion of Senator Sater, **SB 600** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—32

## NAYS—Senators—None

## Absent—Senators—None

Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### INTRODUCTION OF BILLS

The following Bill was read the 1st time and ordered printed:

**SB 994**—By Dixon.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to early stage business development corporations.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1268**, entitled:

An Act to repeal section 143.011, RSMo, and to enact in lieu thereof one new section relating to income tax.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1092**, entitled:

An Act to repeal section 210.145, RSMo, and to enact in lieu thereof one new section relating to child abuse investigations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HJR 47**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment to article VIII of the Constitution of Missouri, and adopting one new section relating to elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1073**, entitled:

An Act to repeal sections 115.427 and 115.430, RSMo, and to enact in lieu thereof two new sections relating to elections, with a contingent effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

President Pro Tem Dempsey assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 589**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 510**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SJR 25**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 719**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 573**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Nieves, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **SB 523**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was

referred **SB 615**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 499**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 669**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 504** and **SCS** for **SB 735**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### **INTRODUCTION OF BILLS**

The following Bill was read the 1st time and ordered printed:

**SB 995**—By Sifton.

An Act to repeal sections 447.503, 447.535, 447.536, and 447.547, RSMo, and to enact in lieu thereof five new sections relating to unclaimed property.

### **SECOND READING OF SENATE BILLS**

The following Bills were read the 2nd time and referred to the Committees indicated:

**SB 831**—Judiciary and Civil and Criminal Jurisprudence.

**SB 832**—Veterans' Affairs and Health.

**SB 833**—Small Business, Insurance and Industry.

**SB 834**—Commerce, Consumer Protection, Energy and the Environment.

**SB 835**—Jobs, Economic Development and Local Government.

**SB 836**—Governmental Accountability and Fiscal Oversight.

**SB 837**—Commerce, Consumer Protection, Energy and the Environment.

**SB 838**—Education.

**SB 839**—Commerce, Consumer Protection, Energy and the Environment.

**SB 840**—Transportation and Infrastructure.

**SB 841**—Commerce, Consumer Protection, Energy and the Environment.

**SB 842**—Governmental Accountability and Fiscal Oversight.

**SB 843**—Judiciary and Civil and Criminal Jurisprudence.

**SB 844**—Seniors, Families and Pensions.

**SB 845**—Transportation and Infrastructure.

**SB 846**—Small Business, Insurance and Industry.

**SB 847**—Veterans' Affairs and Health.

**SB 848**—Education.

**SB 849**—Transportation and Infrastructure.

**SB 850**—Agriculture, Food Production and Outdoor Resources.

**SB 852**—Financial and Governmental Organizations and Elections.

**SB 853**—Financial and Governmental Organizations and Elections.

**SB 854**—Jobs, Economic Development and Local Government.

**SB 855**—Jobs, Economic Development and Local Government.

**SB 856**—Education.

**SB 857**—Commerce, Consumer Protection, Energy and the Environment.

**SB 858**—Ways and Means.

**SB 859**—Agriculture, Food Production and Outdoor Resources.

**SB 860**—Ways and Means.

**SB 861**—Commerce, Consumer Protection, Energy and the Environment.

**SB 862**—Commerce, Consumer Protection, Energy and the Environment.

**SB 863**—Judiciary and Civil and Criminal Jurisprudence.

**SB 864**—Veterans' Affairs and Health.

**SB 865**—General Laws.

**SB 866**—Financial and Governmental Organizations and Elections.

**SB 867**—Transportation and Infrastructure.

**SB 868**—Veterans' Affairs and Health.

**SB 869**—Seniors, Families and Pensions.

**SB 870**—Ways and Means.

**INTRODUCTIONS OF GUESTS**

Senator Richard introduced to the Senate, Roy Wakefield, Robert Miller and Steve Page, Joplin.

Senator Holsman introduced to the Senate, the Physician of the Day, Suzanne M. Rowden, M.D., her husband, Todd, and children, Ivory and Paris, Kansas City; and Ivory and Paris were made honorary pages.

Senator Lamping introduced to the Senate, Jim Kaiser and Sam Shaue, St. Louis.

Senator Kehoe introduced to the Senate, Superintendent Jerry Hobbs, teachers Cindy Wieberg and Rachel Ratcliff, and fourth grade students from Russellville.

Senator Dempsey introduced to the Senate, Kathy Green, Farmington.

Senator Kehoe introduced to the Senate, teachers Yolanda Miller and Brandy Prenger, parents and fourth grade students from St. Joseph Cathedral School, Jefferson City.

Senator Wallingford introduced to the Senate, Virginia Sanders, Denise Brinkmeyer, Robert Michael and eighth grade students from St. Vincent DePaul, Cape Girardeau.

On behalf of Senator Wasson and himself, Senator Sifton introduced to the Senate, Dr. Kecia Leary, Nixa.

Senator Justus introduced to the Senate, students from New Bloomfield and South Callaway Schools.

Senator Pearce introduced to the Senate, Glenda Bertz and Georgia Guthrie, Lafayette County; students Abby Bertz, Alli Bertz, Caitlin Wisdom and Alex Higginbotham, Odessa High School; and Kailey Bales, Concordia High School.

Senator Holsman introduced to the Senate, students from Grandview High School.

Senator Chappelle-Nadal introduced to the Senate, former State Representative, City Assessor Jake Zimmerman, St. Louis.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, March 3, 2014.

**SENATE CALENDAR**  

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**THIRTIETH DAY—MONDAY, MARCH 3, 2014**

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**FORMAL CALENDAR****SECOND READING OF SENATE BILLS**

SB 871-Holsman

SB 872-Wallingford and Justus

SB 873-Brown

SB 874-Wasson

SB 875-Sater

SB 876-LeVota

SB 877-Kraus

SB 878-Lamping

SB 879-Sifton	SB 919-Justus
SB 880-Sifton	SB 920-Munzlinger
SB 881-Sifton	SB 921-Schaaf
SB 882-Brown	SB 922-Schaaf
SB 883-Wasson	SB 923-Emery
SB 884-Wallingford and Sater	SB 924-Emery
SB 885-Pearce	SB 925-Emery
SB 886-Schaefer	SB 926-Sater
SB 887-Schaefer	SB 927-Lamping
SB 888-Parson	SB 928-Lamping
SB 889-Parson	SB 929-Lamping
SB 890-Kehoe	SB 930-Lamping
SB 891-Kehoe	SB 931-Nieves
SB 892-Kraus	SB 932-Nieves
SB 893-Kraus	SB 933-Nieves
SB 894-Munzlinger	SB 934-Schaaf
SB 895-Sater	SB 935-Holsman
SB 896-Wallingford	SB 936-Schaefer
SB 897-Wallingford	SB 937-Schaefer
SB 898-Schaefer	SB 938-Pearce
SB 899-Justus and Schaaf	SB 939-Curls
SB 900-Lamping	SB 940-Curls
SB 901-Holsman	SB 941-Curls, et al
SB 902-Munzlinger	SB 942-Sater
SB 903-Silvey	SB 943-Justus
SB 904-Sifton	SB 944-Brown, et al
SB 905-Sater	SB 945-Brown, et al
SB 906-Holsman	SB 946-Dixon
SB 907-Richard	SB 947-Dixon
SB 908-Schaefer	SB 948-Wallingford
SB 909-Parson and Kehoe	SB 949-Munzlinger
SB 910-Schaaf	SB 950-Holsman
SB 911-Libla	SB 951-Holsman
SB 912-Wasson	SB 952-Dixon
SB 913-Wasson and Cunningham	SB 953-Nasheed
SB 914-Munzlinger	SB 954-Cunningham
SB 915-Dixon	SB 955-Cunningham
SB 916-Wallingford	SB 956-Schaaf
SB 917-Richard	SB 957-Holsman
SB 918-Holsman	SB 958-Nieves

SB 959-Curls	SB 982-Schaefer
SB 960-Munzlinger	SB 983-Pearce
SB 961-Nasheed	SB 984-Sifton
SB 962-Justus	SB 985-Sifton
SB 963-Justus	SB 986-Sifton
SB 964-Lager	SB 987-Lamping
SB 965-Lager	SB 988-Lamping
SB 966-Lager	SB 989-Lamping
SB 967-Lager	SB 990-Lamping
SB 968-Lager	SB 991-Kraus
SB 969-Kehoe	SB 992-Dempsey
SB 970-Kehoe	SB 993-Dempsey
SB 971-Kehoe	SB 994-Dixon
SB 972-Kehoe	SB 995-Sifton
SB 973-Brown	SJR 49-Cunningham
SB 974-Rupp	SJR 50-Lamping
SB 975-Emery	SJR 51-Lamping
SB 976-Emery	SJR 52-Lamping
SB 977-Schmitt	SJR 53-Lamping
SB 978-Schmitt	SJR 54-Lamping
SB 979-Schaefer	SJR 55-Nieves
SB 980-Schaefer	SJR 56-Dixon
SB 981-Schaefer	SJR 57-Lager

#### HOUSE BILLS ON SECOND READING

HB 1430-Jones (110), et al	HB 1197-Elmer
HCS for HB 1058	HB 1206-Wilson
HB 1133-Engler, et al	HCS for HB 1217
HCS for HB 1051	HB 1270-Lant, et al
HJR 48-Solon, et al	HB 1301-Neth
HJR 72-Richardson, et al	HB 1468-Dorhman, et al
HCS for HB 1412	HB 1616-Muntzel, et al
HCS for HBs 1253 & 1297	HCS for HB 1079
HCS for HB 1295	HB 1087-Crawford and Franklin
HCS for HB 1510	HB 1141-Love, et al
HCS for HB 1044	HCS for HB 1201
HB 1081-McCaherty, et al	HB 1222-Dugger
HCS for HB 1085	HB 1238-Hinson
HB 1126-Dugger and Entlicher	HB 1361-Gosen and Wieland



HCS for HB 1376  
HCS for HB 1523  
HB 1268-Curtman, et al

HB 1092-Lant, et al  
HCS for HJR 47  
HB 1073-Dugger, et al

THIRD READING OF SENATE BILLS

SB 504-Munzlinger

SCS for SB 735-Brown

SENATE BILLS FOR PERFECTION

SB 723-Parson, with SCS  
SB 589-Brown, with SCS  
SB 510-Kraus, with SCS  
SJR 25-Lager

SB 573-Munzlinger, with SCS  
SB 523-Emery  
SB 615-Dixon

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 666-Schmitt

SENATE BILLS FOR PERFECTION

SB 491-Justus and Dixon, with SCS  
SBs 509 & 496-Kraus, with SCS & SA 1  
(pending)  
SB 518-Sater, with SCS, SA 2 & SA 1 to  
SA 2 (pending)  
SB 519-Sater, with SS & SA 1 (pending)

SB 530-Libla, with SCS (pending)  
SS for SB 543-Munzlinger  
SB 575-Dixon  
SB 612-Schaaf, with SCS  
SB 663-Munzlinger, with SCS  
SJR 42-Schmitt

CONSENT CALENDAR

Senate Bills

Reported 2/27

SB 719-Kehoe  
SB 499-Keaveny

SB 669-Schaaf

RESOLUTIONS

To be Referred

SCR 39-Parson

SCR 40-Lager

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# Journal of the Senate

## SECOND REGULAR SESSION

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### THIRTIETH DAY—TUESDAY, MARCH 4, 2014

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Therefore all the faithful will make their prayers to you in times of trouble; when the great waters overflow, they shall not reach them.”  
(Psalm 32:7)

Merciful Lord, we are grateful for those who You have called to clear our roads and make travel possible for Missourians, for their willingness to work through evening’s darkness and through the gray of a new day. Once again we have driven through a landscape of ice and snow and are grateful for Your protection in bringing us safely here. Continue Your protection for all who travel and bless our efforts here this week. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 27, 2014 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Kraus offered Senate Resolution No. 1498, regarding Carter Robert Thompson, Grain Valley, which was adopted.

Senator Pearce offered Senate Resolution No. 1499, regarding Herbert Nelson, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1500, regarding Jason and Stephanie Jennings, which was adopted.

Senator Holsman offered Senate Resolution No. 1501, regarding Enoch Bradshaw, which was adopted.

Senator Holsman offered Senate Resolution No. 1502, regarding Kyle McDonald, which was adopted.

Senator Holsman offered Senate Resolution No. 1503, regarding the Missouri State Association of Parliamentarians, which was adopted.

Senator Wallingford offered Senate Resolution No. 1504, regarding Larry Lee Bock, Cape Girardeau, which was adopted.

Senator Wallingford offered Senate Resolution No. 1505, regarding Scott R. Clark, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 1506, regarding Lori Trump, Cape Girardeau, which was adopted.

Senator Nasheed offered Senate Resolution No. 1507, regarding Werner Carl Born, Saint Louis, which was adopted.

Senator Wallingford offered Senate Resolution No. 1508, regarding Lieutenant Rick Price, Cape Girardeau, which was adopted.

Senator Wallingford offered Senate Resolution No. 1509, regarding David W. Schwab, Jackson, which was adopted.

Senator Schaefer offered Senate Resolution No. 1510, regarding the University of Missouri-Columbia football program, which was adopted.

Senator LeVota offered Senate Resolution No. 1511, regarding the One Hundredth Anniversary of the Independence Pioneers chapter of the National Society Daughters of the American Revolution, which was adopted.

Senator LeVota offered Senate Resolution No. 1512, regarding Ethan R. Zirkle, Oak Grove, which was adopted.

Senator LeVota offered Senate Resolution No. 1513, regarding Mayor Don Reimal, Independence, which was adopted.

Senator Parson offered Senate Resolution No. 1514, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Billy McWhirt, which was adopted.

Senator Parson offered Senate Resolution No. 1515, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bobby J. Budd, El Dorado Springs, which was adopted.

Senator Parson offered Senate Resolution No. 1516, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Charles Bays, which was adopted.

Senator Lamping offered Senate Resolution No. 1517, regarding Paul Snyder Johnson, Saint Louis, which was adopted.

Senator Keaveny offered Senate Resolution No. 1518, regarding Tom Fields, which was adopted.

Senator Keaveny offered Senate Resolution No. 1519, regarding Essence Imani Lee, which was adopted.

Senator Nasheed offered Senate Resolution No. 1520, regarding the Koman Group, which was adopted.

Senators Richard and Pearce offered Senate Resolution No. 1521, regarding the Ninety-ninth Birthday of Raymond D. Hagan, which was adopted.

Senator Schmitt offered Senate Resolution No. 1522, regarding August Clark, Ballwin, which was adopted.

Senator Schmitt offered Senate Resolution No. 1523, regarding Grant N. Underhill, St. Louis County, which was adopted.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS for SB 643**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

### **MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 27, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Lionel K. Attawia, 8936 Booth Avenue, Kansas City, Jackson County, Missouri 64138, as the student representative of the Missouri Western State University Board of Governors, for a term ending December 31, 2015, and until his successor is duly appointed and qualified; vice, Brian Shewell, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 27, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Christopher A. Gordon, 5 Crown Park Court, Ballwin, Saint Louis County, Missouri 63021, as a member of the State Historical Records Advisory Board, for a term ending November 1, 2015, and until his successor is duly appointed and qualified; vice, Christopher A. Gordon, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 27, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

John McGuire, 368 Carson Ridge Road, Glasgow, Howard County, Missouri 65254, as a member of the Midwestern Higher Education Commission, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, Evelyn E. Jorgenson, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 27, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jerome Offord Jr., 2415 Hartford Drive, Jefferson City, Cole County, Missouri 65109, as a member of the State Historical Records Advisory Board, for a term ending November 1, 2016, and until his successor is duly appointed and qualified; vice, Anne G. Rottmann, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 27, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Kay Park, 9888 Old Warson Road, Saint Louis, Saint Louis County, Missouri 63124, as a member of the Missouri Genetic Advisory Committee, for a term ending April 9, 2016, and until her successor is duly appointed and qualified; vice, Lisa M. Woods, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 27, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Laurie D. Smith, 12411 Summit Street, Kansas City, Jackson County, Missouri 64145, as a member of the Missouri Genetic Advisory

Committee, for a term ending April 9, 2016, and until her successor is duly appointed and qualified; vice, Judith H. Miles, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
February 27, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

David E. Tannehill, Independent, 200 Harbor View Drive, Fenton, Jefferson County, Missouri 63026, as a member of the State Board of Registration for the Healing Arts, for a term ending September 3, 2014, and until his successor is duly appointed and qualified; vice, Curtis D. Mather, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
February 27, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

H. John Visser, Democrat, 1028 Arlington Oaks Terrace, Town and Country, Saint Louis County, Missouri 63017, as a member of the State Board of Podiatric Medicine, for a term ending July 1, 2016, and until his successor is duly appointed and qualified; vice, H. John Visser, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
February 28, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Joseph A. Carroll, Democrat, 443 West Morrow, Marshall, Saline County, Missouri 65340, as a member of the Missouri Ethics Commission, for a term ending March 15, 2018, and until his successor is duly appointed and qualified; vice, Vernon Dawdy, term expires March 15, 2014.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
February 28, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

William J. Deeken Jr., Republican, 4624 Green Valley Drive, Jefferson City, Cole County, Missouri 65109, as a member of the Missouri Ethics Commission, for a term ending March 15, 2018, and until his successor is duly appointed and qualified; vice, Louis J. Leonatti, term expires March 15, 2014.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 653**, entitled:

An Act to repeal sections 67.1830 and 67.5104, RSMo, and to enact in lieu thereof two new sections relating to municipal utility poles.

With House Amendment No. 1.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 653, Page 4, Section 67.5104, Line 5, by inserting after the word, “pole.” the words, “**As used in this section, “pole” means a utility pole which is owned or controlled by a municipal utility or municipality, but shall not include poles that are not associated with the transmission or distribution of electric power, communications, broadband, or video services.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1110**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial bridge.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1359**, entitled:

An Act to repeal section 8.007, RSMo, and to enact in lieu thereof two new sections relating to contracts for the sale of certain items at events held in state-owned buildings.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.



Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1646** and **1515**, entitled:

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to incentives for interstate business relocation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1296**, entitled:

An Act to repeal section 144.080, RSMo, and to enact in lieu thereof one new section relating to payment of sales tax.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1496**, entitled:

An Act to repeal section 275.352, RSMo, relating to beef commodity merchandising program fees.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 4**.

HOUSE CONCURRENT RESOLUTION NO. 4

WHEREAS, high oil prices are having a major detrimental impact on families, farms, and businesses in Missouri and are likely to undercut the prospects for an economic recovery; and

WHEREAS, the United States currently imports almost half of its oil and petroleum products, making it dependent on foreign sources and subject to interruptions and price fluctuations stemming from geopolitical forces; and

WHEREAS, such instability has damaging consequences both for our economy and our national security; and

WHEREAS, the United States Geological Survey estimates a resource of up to 27 billion barrels of oil in the Chukchi and Beaufort seas of Alaska, providing a vast domestic oil reserve, but opposition and regulatory hurdles are keeping energy producers from accessing these resources; and

WHEREAS, the TransCanada Keystone XL pipeline project seeks to link expanded oil production from the Canadian oil sands to refineries in the United States and to facilitate the flow of oil from the Dakotas to the Gulf Coast, thereby decreasing our dependence on oil from outside of North America; and

WHEREAS, Canada is a close friend and ally, with whom we share links of infrastructure and energy networks and other ties, so that dollars spent on Canadian oil will likely contribute to the success of the American economy; and

WHEREAS, the TransCanada pipeline project is projected to create construction and manufacturing jobs in the United States, adding

billions of dollars to the United States economy:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, Second Regular Session, the Senate concurring therein, hereby call upon President Barack Obama and administration officials to:

(1) Support the increased importation of oil from Canadian oil sands and to approve the newly routed TransCanada Keystone XL pipeline to reduce our oil dependency on unstable governments, strengthen ties with an important ally, and create jobs for American workers;

(2) Support and facilitate permitting for oil production off the northern coast of Alaska to decrease our dependence on foreign oil and spur investment in the American economy; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for President Barack Obama, Vice President Joe Biden, Secretary of State John Kerry, United States House of Representatives Speaker John Boehner, and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

### PRIVILEGED MOTIONS

Senator Lager moved that **SS** for **SCS** for **SB 653**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SS** for **SCS** for **SB 653**, entitled:

#### HOUSE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 653

An Act to repeal sections 67.1830 and 67.5104, RSMo, and to enact in lieu thereof two new sections relating to municipal utility poles.

Was taken up.

Senator Lager moved that **HCS** for **SS** for **SCS** for **SB 653**, as amended, be adopted, which motion prevailed by the following vote:

#### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

#### NAYS—Senators

Justus              LeVota—2

#### Absent—Senators

Lamping              Rupp—2

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Lager, **HCS** for **SS** for **SCS** for **SB 653**, as amended, was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator LeVota—1

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

### SENATE BILLS FOR PERFECTION

Senator Parson moved that **SB 723**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 723**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 723

An Act to repeal sections 8.420 and 8.665, RSMo, and to enact in lieu thereof two new sections relating to revenue bonds.

Was taken up.

Senator Kehoe assumed the Chair.

Senator Dixon assumed the Chair.

Senator Parson moved that **SCS** for **SB 723** be adopted.

Senator Pearce assumed the Chair.

Senator Schaaf offered **SA 1**, which was read:

#### SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 723, Page 3, Section 8.665, Line 28, by striking

the word “three” and inserting in lieu thereof the following: “**two**”.

Senator Schaaf moved that the above amendment be adopted.

At the request of Senator Parson, **SB 723**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

### **INTRODUCTIONS OF GUESTS**

Senator Pearce introduced to the Senate, Liz Bedell, and her children, Chance, Montana, Chloe and Tate, Odessa.

Senator Richard introduced to the Senate, Blake Miller, Fairview; Jacob Davis, Grove, Oklahoma; and Clayton Bowman, Neosho.

Senator Schaefer introduced to the Senate, Dr. Kristin Sohl and students from the University of Missouri-Columbia.

On motion of Senator Richard, the Senate adjourned under rules.

### **SENATE CALENDAR**

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**THIRTY-FIRST DAY—WEDNESDAY, MARCH 5, 2014**

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### **FORMAL CALENDAR**

### **SECOND READING OF SENATE BILLS**

SB 871-Holsman  
SB 872-Wallingford and Justus  
SB 873-Brown  
SB 874-Wasson  
SB 875-Sater  
SB 876-LeVota  
SB 877-Kraus  
SB 878-Lamping  
SB 879-Sifton  
SB 880-Sifton  
SB 881-Sifton  
SB 882-Brown  
SB 883-Wasson  
SB 884-Wallingford and Sater  
SB 885-Pearce  
SB 886-Schaefer  
SB 887-Schaefer

SB 888-Parson  
SB 889-Parson  
SB 890-Kehoe  
SB 891-Kehoe  
SB 892-Kraus  
SB 893-Kraus  
SB 894-Munzlinger  
SB 895-Sater  
SB 896-Wallingford  
SB 897-Wallingford  
SB 898-Schaefer  
SB 899-Justus and Schaaf  
SB 900-Lamping  
SB 901-Holsman  
SB 902-Munzlinger  
SB 903-Silvey  
SB 904-Sifton

SB 905-Sater	SB 946-Dixon
SB 906-Holsman	SB 947-Dixon
SB 907-Richard	SB 948-Wallingford
SB 908-Schaefer	SB 949-Munzlinger
SB 909-Parson and Kehoe	SB 950-Holsman
SB 910-Schaaf	SB 951-Holsman
SB 911-Libla	SB 952-Dixon
SB 912-Wasson	SB 953-Nasheed
SB 913-Wasson and Cunningham	SB 954-Cunningham
SB 914-Munzlinger	SB 955-Cunningham
SB 915-Dixon	SB 956-Schaaf
SB 916-Wallingford	SB 957-Holsman
SB 917-Richard	SB 958-Nieves
SB 918-Holsman	SB 959-Curls
SB 919-Justus	SB 960-Munzlinger
SB 920-Munzlinger	SB 961-Nasheed
SB 921-Schaaf	SB 962-Justus
SB 922-Schaaf	SB 963-Justus
SB 923-Emery	SB 964-Lager
SB 924-Emery	SB 965-Lager
SB 925-Emery	SB 966-Lager
SB 926-Sater	SB 967-Lager
SB 927-Lamping	SB 968-Lager
SB 928-Lamping	SB 969-Kehoe
SB 929-Lamping	SB 970-Kehoe
SB 930-Lamping	SB 971-Kehoe
SB 931-Nieves	SB 972-Kehoe
SB 932-Nieves	SB 973-Brown
SB 933-Nieves	SB 974-Rupp
SB 934-Schaaf	SB 975-Emery
SB 935-Holsman	SB 976-Emery
SB 936-Schaefer	SB 977-Schmitt
SB 937-Schaefer	SB 978-Schmitt
SB 938-Pearce	SB 979-Schaefer
SB 939-Curls	SB 980-Schaefer
SB 940-Curls	SB 981-Schaefer
SB 941-Curls, et al	SB 982-Schaefer
SB 942-Sater	SB 983-Pearce
SB 943-Justus	SB 984-Sifton
SB 944-Brown, et al	SB 985-Sifton
SB 945-Brown, et al	SB 986-Sifton

SB 987-Lamping  
SB 988-Lamping  
SB 989-Lamping  
SB 990-Lamping  
SB 991-Kraus  
SB 992-Dempsey  
SB 993-Dempsey  
SB 994-Dixon  
SB 995-Sifton

SJR 49-Cunningham  
SJR 50-Lamping  
SJR 51-Lamping  
SJR 52-Lamping  
SJR 53-Lamping  
SJR 54-Lamping  
SJR 55-Nieves  
SJR 56-Dixon  
SJR 57-Lager

#### HOUSE BILLS ON SECOND READING

HB 1430-Jones (110), et al  
HCS for HB 1058  
HB 1133-Engler, et al  
HCS for HB 1051  
HJR 48-Solon, et al  
HJR 72-Richardson, et al  
HCS for HB 1412  
HCS for HBs 1253 & 1297  
HCS for HB 1295  
HCS for HB 1510  
HCS for HB 1044  
HB 1081-McCaherty, et al  
HCS for HB 1085  
HB 1126-Dugger and Entlicher  
HB 1197-Elmer  
HB 1206-Wilson  
HCS for HB 1217  
HB 1270-Lant, et al  
HB 1301-Neth  
HB 1468-Dorhman, et al

HB 1616-Muntzel, et al  
HCS for HB 1079  
HB 1087-Crawford and Franklin  
HB 1141-Love, et al  
HCS for HB 1201  
HB 1222-Dugger  
HB 1238-Hinson  
HB 1361-Gosen and Wieland  
HCS for HB 1376  
HCS for HB 1523  
HB 1268-Curtman, et al  
HB 1092-Lant, et al  
HCS for HJR 47  
HB 1073-Dugger, et al  
HB 1110-Rowland  
HB 1359-Flanigan  
HCS for HBs 1646 & 1515  
HCS for HB 1296  
HB 1496-Reiboldt, et al

#### THIRD READING OF SENATE BILLS

SB 504-Munzlinger  
SCS for SB 735-Brown

SCS for SB 643-Rupp

SENATE BILLS FOR PERFECTION

SB 589-Brown, with SCS  
SB 510-Kraus, with SCS  
SJR 25-Lager

SB 573-Munzlinger, with SCS  
SB 523-Emery  
SB 615-Dixon

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 666-Schmitt

SENATE BILLS FOR PERFECTION

SB 491-Justus and Dixon, with SCS  
SBs 509 & 496-Kraus, with SCS & SA 1  
(pending)  
SB 518-Sater, with SCS, SA 2 & SA 1 to  
SA 2 (pending)  
SB 519-Sater, with SS & SA 1 (pending)  
SB 530-Libla, with SCS (pending)

SS for SB 543-Munzlinger  
SB 575-Dixon  
SB 612-Schaaf, with SCS  
SB 663-Munzlinger, with SCS  
SB 723-Parson, with SCS & SA 1 (pending)  
SJR 42-Schmitt

CONSENT CALENDAR

Senate Bills

Reported 2/27

SB 719-Kehoe  
SB 499-Keaveny

SB 669-Schaaf

RESOLUTIONS

To be Referred

SCR 39-Parson  
SCR 40-Lager

HCR 4-English, et al

# Journal of the Senate

## SECOND REGULAR SESSION

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**THIRTY-FIRST DAY—WEDNESDAY, MARCH 5, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Create in me a clean heart, O God, and renew a right spirit within me.” (Psalm 51:11)

Heavenly Father, today we begin a journey that calls for us to look at our lives and how best to follow Your lead. During this journey of six weeks, the Christian world calls Lent, help us to remember this period on what You expect of us. Regardless of what faith we profess, we ask that we might learn from this time of self-exploration that leads us to recognize our need of You. So we pray that You walk with us and help us learn of You, Our God. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

**Present—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Curls offered Senate Resolution No. 1524, regarding Alpha Kappa Alpha Sorority, Incorporated,



which was adopted.

### REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **SS** for **SCS** for **SB 653**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

### REFERRALS

President Pro Tem Dempsey referred **SCR 39**, **SCR 40** and **HCR 4** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Dempsey referred the gubernatorial appointments appearing on pages 444 through 447 of the Senate Journal for Tuesday, March 4, 2014, to the Committee on Gubernatorial Appointments.

### SENATE BILLS FOR PERFECTION

Senator Kraus moved that **SB 509** and **SB 496**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 1** was again taken up.

At the request of Senator LeVota, the above amendment was withdrawn.

Senator Kraus offered **SS** for **SCS** for **SBs 509** and **496**, entitled:

#### SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 509 and 496

An Act to repeal section 143.011, RSMo, and to enact in lieu thereof two new sections relating to income taxes.

Senator Kraus moved that **SS** for **SCS** for **SBs 509** and **496** be adopted.

At the request of Senator Kraus, **SB 509** and **SB 496**, with **SCS** and **SS** (pending), were placed on the Informal Calendar.

### INTRODUCTIONS OF GUESTS

Senator Schaefer introduced to the Senate, members of the 2014 Cotton Bowl Champion University of Missouri football team. Coach Gary Pinkel assumed the dais and addressed the members of the Senate.

### SENATE BILLS FOR PERFECTION

Senator Kraus moved that **SB 509** and **SB 496**, with **SCS** and **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SS** for **SCS** for **SBs 509** and **496** was again taken up.

Senator Kehoe assumed the Chair.

Senator Schmitt offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 509 and 496, Pages 1-3, Section 143.011, by striking all of said section and inserting in lieu thereof the following:

**“143.011. 1. For all tax years beginning on or before December 31, 2014,** a tax is hereby imposed for every taxable year on the Missouri taxable income of every resident. The tax shall be determined by applying the tax table or the rate provided in section 143.021, which is based upon the following rates:

If the Missouri taxable income is:	The tax is:
Not over \$1,000.00 . . . . .	1 ½% of the Missouri taxable income
Over \$1,000 but not over \$2,000	\$15 plus 2% of excess over \$1,000
Over \$2,000 but not over \$3,000	\$35 plus 2 ½% of excess over \$2,000
Over \$3,000 but not over \$4,000	\$60 plus 3% of excess over \$3,000
Over \$4,000 but not over \$5,000	\$90 plus 3 ½% of excess over \$4,000
Over \$5,000 but not over \$6,000	\$125 plus 4% of excess over \$5,000
Over \$6,000 but not over \$7,000	\$165 plus 4 ½% of excess over \$6,000
Over \$7,000 but not over \$8,000	\$210 plus 5% of excess over \$7,000
Over \$8,000 but not over \$9,000	\$260 plus 5 ½% of excess over \$8,000
Over \$9,000 . . . . .	\$315 plus 6% of excess over \$9,000

**2. For all tax years beginning on or after January 1, 2015, but before January 1, 2016,** a tax is hereby imposed for every taxable year on the Missouri taxable income of every resident. The tax shall be determined by applying the tax table or the rate provided in section 143.021, which is based upon the following rates:

If the Missouri taxable income is:	The tax is:
Not over \$1,000.00 . . . . .	1 ½% of the Missouri taxable income
Over \$1,000 but not over \$2,000	\$15 plus 2% of excess over \$1,000
Over \$2,000 but not over \$3,000	\$35 plus 2 ½% of excess

	over \$2,000
Over \$3,000 but not over \$4,000	\$60 plus 3% of excess
	over \$3,000
Over \$4,000 but not over \$5,000	\$90 plus 3 ½% of excess
	over \$4,000
Over \$5,000 but not over \$6,000	\$125 plus 4% of excess
	over \$5,000
Over \$6,000 but not over \$7,000	\$165 plus 4 ½% of excess
	over \$6,000
Over \$7,000 but not over \$8,000	\$210 plus 5% of excess
	over \$7,000
Over \$8,000	\$260 plus 5 ½% of excess
	over \$8,000

3. (1) Beginning with the 2016 calendar year, the top rate of tax under subsection 2 of this section may be reduced over a period of years. No more than one reduction shall occur in a calendar year. The top rate of tax shall not be reduced below five percent. Reductions in the top rate of tax shall take effect on January first of a calendar year and such reduced rates shall continue in effect until the next reduction occurs.

(2) A reduction in the rate of tax shall only occur if the amount of net general revenue collected in the previous fiscal year exceeds the highest amount of net general revenue collected in any of the three fiscal years prior to such fiscal year by at least one hundred million dollars.

(3) The amount of a rate reduction shall be calculated by taking the amount that the net general revenue collected in the previous fiscal year exceeded the highest amount of net general revenue collected in any of the three fiscal years prior to such fiscal year and dividing such number by one hundred million. Such number shall then be rounded down to the nearest whole number and multiplied by one-tenth of a percent. This number shall be subtracted from the top rate of tax for the previous calendar year to give the top rate of tax for the current calendar year.

(4) Any modification of tax rates under this subsection shall only apply to tax years that begin on or after a modification takes effect.

(5) The director of the department of revenue shall, by rule, adjust the tax tables under subsection 2 of this section to effectuate the provisions of this subsection. The bracket for income over eight thousand dollars shall be eliminated once the top rate of tax has been reduced to less than or equal to five percent.

143.021. 1. Every resident having a taxable income of less than nine thousand dollars shall determine his tax from a tax table prescribed by the director of revenue and based upon the rates provided in section 143.011. The tax table shall be on the basis of one hundred dollar increments of taxable income below nine thousand dollars. The tax provided in the table shall be the amount rounded to the nearest whole dollar by applying the rates in section 143.011 to the taxable income at the midpoint of each increment, except there shall be no tax on a taxable income of less than one hundred dollars. Every resident having a taxable income of nine thousand dollars or more shall determine his tax from the rate provided in section 143.011. **This**

subsection shall only apply if the top rate of tax under section 143.011 is greater than five and one-half of a percent.

2. Every resident having a taxable income of less than eight thousand dollars shall determine his tax from a tax table prescribed by the director of revenue and based upon the rates provided in section 143.011. The tax table shall be on the basis of one hundred dollar increments of taxable income below eight thousand dollars. The tax provided in the table shall be the amount rounded to the nearest whole dollar by applying the rates in section 143.011 to the taxable income at the midpoint of each increment, except there shall be no tax on a taxable income of less than one hundred dollars. Every resident having a taxable income of eight thousand dollars or more shall determine his tax from the rate provided in section 143.011. This subsection shall only apply if the top rate of tax under section 143.011 is greater than five percent and less than or equal to five and one-half percent.”; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted.

Senator Schmitt offered SA 1 to SA 1:

SENATE AMENDMENT NO. 1  
TO SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 509 and 496, Page 3, Line 8, by striking the word “five” and inserting in lieu thereof the following: “**four**”; and

Further amend said amendment, page 4, line 5, by inserting immediately at the end of said line the following: “**The bracket for income over seven thousand dollars shall be eliminated once the top rate of tax has been reduced to less than four and one-half percent. The bracket for income over six thousand dollars shall be eliminated once the top rate of tax has been reduced to less than four percent.**”; and

Further amend said amendment, page 5, line 5, by inserting immediately after all of said line the following:

“3. Every resident having a taxable income of less than seven thousand dollars shall determine his tax from a tax table prescribed by the director of revenue and based upon the rates provided in section 143.011. The tax table shall be on the basis of one hundred dollar increments of taxable income below seven thousand dollars. The tax provided in the table shall be the amount rounded to the nearest whole dollar by applying the rates in section 143.011 to the taxable income at the midpoint of each increment, except there shall be no tax on a taxable income of less than one hundred dollars. Every resident having a taxable income of seven thousand dollars or more shall determine his tax from the rate provided in section 143.011. This subsection shall only apply if the top rate of tax under section 143.011 is greater than four and one-half percent and less than or equal to five percent.

4. Every resident having a taxable income of less than six thousand dollars shall determine his tax from a tax table prescribed by the director of revenue and based upon the rates provided in section 143.011. The tax table shall be on the basis of one hundred dollar increments of taxable income below six thousand dollars. The tax provided in the table shall be the amount rounded to the nearest whole

dollar by applying the rates in section 143.011 to the taxable income at the midpoint of each increment, except there shall be no tax on a taxable income of less than one hundred dollars. Every resident having a taxable income of six thousand dollars or more shall determine his tax from the rate provided in section 143.011. This subsection shall only apply if the top rate of tax under section 143.011 is greater than four percent and less than or equal to four and one-half percent.

5. Every resident having a taxable income of less than five thousand dollars shall determine his tax from a tax table prescribed by the director of revenue and based upon the rates provided in section 143.011. The tax table shall be on the basis of one hundred dollar increments of taxable income below five thousand dollars. The tax provided in the table shall be the amount rounded to the nearest whole dollar by applying the rates in section 143.011 to the taxable income at the midpoint of each increment, except there shall be no tax on a taxable income of less than one hundred dollars. Every resident having a taxable income of five thousand dollars or more shall determine his tax from the rate provided in section 143.011. This subsection shall only apply if the top rate of tax under section 143.011 is equal to four percent.”

Senator Schmitt moved that the above amendment be adopted.

At the request of Senator Kraus, **SB 509** and **SB 496**, with **SCS**, **SS** for **SCS**, **SA 1** and **SA 1** to **SA 1** (pending), were placed on the Informal Calendar.

### MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 650**.

With House Amendment No. 1.

### HOUSE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 650, Page 2, Section 67.5092, Line 36 by inserting immediately after the word “on” on said Line the following: “[existing structure]”; and Further amend said bill, Page 3, Section 67.5092, Line 75, by inserting after the phrase “more than” on said Line the following: “[two thousand five hundred]”; and Further amend said bill, Section 67.5098, Page 8, Line 19, by enclosing in brackets the word: “ninety” on said Line and inserting immediately thereafter the phrase: “**one hundred twenty**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

### PRIVILEGED MOTIONS

Senator Lager moved that **SS** for **SCS** for **SB 650**, with **HA 1** be taken up for 3rd reading and final passage, which motion prevailed.

**HA 1** was taken up.

Senator Lager moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford—29			

NAYS—Senator LeVota—1

Absent—Senators

Rupp          Walsh          Wasson—3

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Lager, **SS** for **SCS** for **SB 650**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford—30		

NAYS—Senators—None

Absent—Senators

Rupp          Walsh          Wasson—3

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

President Pro Tem Dempsey assumed the Chair.

### **SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **HCS** for **SS** for **SCS**

for **SB 653**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Kehoe assumed the Chair.

On motion of Senator Richard, the Senate recessed until 4:00 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Kraus.

### **BILLS DELIVERED TO THE GOVERNOR**

**HCS** for **SS** for **SCS** for **SB 653**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1173**, entitled:

An Act to repeal sections 1.010 and 538.210, RSMo, and to enact in lieu thereof two new sections relating to claims arising out of the rendering of or failure to render health care services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 649**.

Bill ordered enrolled.

Photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

### **SENATE BILLS FOR PERFECTION**

Senator Brown moved that **SB 589**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 589**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 589**

An Act to repeal sections 1.010, 379.200, 537.065, 537.067, and 538.210, RSMo, and to enact in lieu thereof eight new sections relating to civil actions for damages.

Was taken up.

Senator Brown moved that **SCS** for **SB 589** be adopted.

Senator Dempsey offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 589, Page 2, Section 375.417, Line 21, by striking the words “a basis” and inserting in lieu thereof the following: “**an allegation, fact, claim, or issue**”; and

Further amend said bill and section, page 3, line 43, by inserting at the end of said line the following: “**However, the reservation of rights may be admissible as evidence of the insurer’s statement of its position.**”; and

Further amend said bill, page 4, section 379.200, line 19, by inserting immediately after the word “showing” the following: “**and the court shall have the duty to determine**”.

Senator Dempsey moved that the above amendment be adopted.

Senator Sifton offered **SSA 1** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR  
SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 589, Pages 2-3, Section 375.417, Lines 1-60, by striking all of said amendment, and by striking all of said section from the bill; and

Further amend said bill, pages 3-4, section 375.418, lines 1-17, by striking all of said section from the bill; and

Further amend said bill, page 4, section 375.419, lines 1-9, by striking all of said section from the bill; and

Further amend said bill, pages 4-5, section 379.200, lines 1-35, by striking all of said section from the bill; and

Further amend said bill, pages 5-6, section 537.065, lines 1-27, by striking all of said section from the bill; and

Further amend said bill, page 8, section 538.210, line 42, by inserting immediately after said line the following:

“**Section 1. There shall be a presumed duty to defend in any insurance policy sold in this state.**”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above substitute amendment be adopted.

At the request of Senator Dempsey, **SA 1** was withdrawn rendering the substitute amendment moot.

Senator Sifton offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 589, Pages 2-3, Section 375.417, Lines 1-60,



by striking all of said section from the bill; and

Further amend said bill, pages 3-4, section 375.418, lines 1-17, by striking all of said section from the bill; and

Further amend said bill, page 4, section 375.419, lines 1-9, by striking all of said section from the bill; and

Further amend said bill, pages 4-5, section 379.200, lines 1-35, by striking all of said section from the bill; and

Further amend said bill, pages 5-6, section 537.065, lines 1-27, by striking all of said section from the bill; and

Further amend said bill, page 8, section 538.210, line 42, by inserting immediately after said line the following:

**“Section 1. There shall be a presumed duty to defend in any insurance policy sold in this state.”;**  
and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted.

Senator Schaefer offered **SA 1** to **SA 2**, which was read:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Committee Substitute for Senate Bill No. 589, Page 1, Lines 11-14 of said amendment, by striking all of said lines.

Senator Schaefer moved that the above amendment be adopted.

At the request of Senator Brown, **SB 589**, with **SCS**, **SA 2** and **SA 1** to **SA 2** (pending), was placed on the Informal Calendar.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 651**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1426**, entitled:

An Act to amend chapter 44, RSMo, by adding thereto one new section relating to personal identifying information in disasters or emergencies.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCS** for **HCR 13**.

HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE CONCURRENT RESOLUTION NO. 13

WHEREAS, the state of Missouri has a long history of supporting the military in their mission to protect the American people; and

WHEREAS, Whiteman Air Force Base, home to the 442<sup>nd</sup> Fighter Wing, is dedicated to delivering dynamic air power for the United States and acting as both a powerful deterrent to enemies and as an assurance to American citizens and allies; and

WHEREAS, the 442<sup>nd</sup> Fighter Wing has a rich legacy of defending the United States and its allies through its involvement in World War II, the Cold War, Operation Desert Storm, Operation Enduring Freedom, and Operation Iraqi Freedom; and

WHEREAS, the mission of the 442<sup>nd</sup> is to maintain and support the A-10 Thunderbolt II at the highest level of combat readiness; and

WHEREAS, the A-10 Thunderbolt II is the Air Force's only fighter plane designed for close-air support providing critical front-line support for American forces on the ground and conducting combat search and rescue missions; and

WHEREAS, the A-10 Thunderbolt II is vital to providing Missouri civilian and military jobs as the 442<sup>nd</sup> Fighter Wing is the largest tenant unit at Whiteman Air Force Base and has a payroll of around \$40 million dollars, a personnel force of 1,100 people, and an economic impact of millions of dollars in the local community; and

WHEREAS, newly proposed federal budget cuts for the Department of Defense would impact the 35th Combat Aviation Brigade, which has three units located in Missouri; and

WHEREAS, the 35th Combat Aviation Brigade includes the 1-135th Aviation Battalion, located at Whiteman Airforce Base, which conducts attack reconnaissance, security operations that compliment other maneuver forces, and has 24 AH-64 D Apache Longbow attack helicopters assigned to it; and

WHEREAS, the 35th Combat Aviation Brigade includes the 3-135th Aviation Battalion, located in Lebanon, Missouri, which provides mission command, administration, and logistics support; and

WHEREAS, the 35th Combat Aviation Brigade includes the 935th Aviation Support Battalion, located in Springfield and Warrensburg, Missouri, which provides maintenance, maneuver, signal, and logistics support; and

WHEREAS, the impact of the proposed budget cuts would result in a loss of over \$34 million dollars and over 400 military personnel:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urge the United States Air Force not to eliminate the A-10 Thunderbolt II aircraft fleet and strongly urge the United States Department of Defense to reconsider its proposed budget cuts to find a solution that fully takes into account national security needs as well as state domestic response obligations; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Secretary of Defense, the Secretary of the Air Force, and each member of Missouri's congressional delegation.

In which the concurrence of the Senate is respectfully requested.

**PRIVILEGED MOTIONS**

Having voted on the prevailing side, Senator Schmitt moved that the vote by which **SCS** for **SB 666** was declared perfected and ordered printed be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Sater	Schaaf

Schaefer      Schmitt                      Sifton                      Silvey                      Wallingford                      Walsh—30

NAYS—Senators—None

Absent—Senators

Nieves              Rupp                      Wasson—3

Absent with leave—Senators—None

Vacancies—1

Senator Lager assumed the Chair.

Having voted on the prevailing side, Senator Schmitt moved that the vote by which **SCS** for **SB 666** was adopted be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—30		

NAYS—Senators—None

Absent—Senators

Justus              Rupp                      Wasson—3

Absent with leave—Senators—None

Vacancies—1

**SCS** for **SB 666** was again taken up.

Senator Schmitt offered **SS** for **SCS** for **SB 666**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 666

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to a tax credit for residential real property owners.

Senator Schmitt moved that **SS** for **SCS** for **SB 666** be adopted, which motion prevailed.

On motion of Senator Schmitt, **SS** for **SCS** for **SB 666** was declared perfected and ordered printed.

**SENATE BILLS FOR PERFECTION**

Senator Libla moved that **SB 530**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SCS** for **SB 530** was again taken up.

Senator Kraus assumed the Chair.

Senator Justus offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for Senate Bill No. 530, Pages 1-3, Section 211.183, Lines 1-86, by striking all of said section from the bill; and

Further amend said bill, page 7, section 211.447, line 140, by striking “including but not limited to” and inserting in lieu thereof the following: “**consisting of**”; and

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Libla moved that **SCS** for **SB 530**, as amended, be adopted, which motion prevailed.

On motion of Senator Libla, **SCS** for **SB 530**, as amended, was declared perfected and ordered printed.

Senator Sater moved that **SB 519**, with **SS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 1** was again taken up.

Senator Dixon assumed the Chair.

Senator Kehoe assumed the Chair.

Senator Sifton requested a roll call vote be taken on the adoption of **SA 1** and was joined in his request by Senators Curls, Justus, LeVota and Walsh.

Senator Pearce assumed the Chair.

At the request of Senator Sater, **SB 519**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

**REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 666** and **SCS** for **SB 530**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 651**; **SB 649**; and **SS** for **SCS** for **SB 650**, begs leave to report that it has examined the same and finds that the bills have been duly enrolled and that the printed copies furnished the Senators are correct.

**REFERRALS**

President Pro Tem Dempsey referred **SS** for **SCS** for **SB 666** to the Committee on Governmental Accountability and Fiscal Oversight.

**RESOLUTIONS**

Senator Lager offered Senate Resolution No. 1525, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Billy Carter, Trenton, which was adopted.

Senator Lager offered Senate Resolution No. 1526, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jerry Thomas, Stanberry, which was adopted.

Senator Lager offered Senate Resolution No. 1527, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Burton Messner, Maryville, which was adopted.

Senator Justus offered Senate Resolution No. 1528, regarding James Brewer, House Springs, which was adopted.

Senator Justus offered Senate Resolution No. 1529, regarding Ali Walker, which was adopted.

Senator Justus offered Senate Resolution No. 1530, regarding Liberty Christian Academy boys and girls basketball programs, which was adopted.

Senator Lager offered Senate Resolution No. 1531, regarding Dylan McClain, which was adopted.

Senator Walsh offered Senate Resolution No. 1532, regarding William R. Schwarz, Florissant, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1533, regarding Friends for La Plata Preservation, which was adopted.

Senator Kraus offered Senate Resolution No. 1534, regarding the 2013-2014 state champion Oak Grove High School Panthers wrestling program, which was adopted.

Senator Kraus offered Senate Resolution No. 1535, regarding Connor Brown, which was adopted.

Senator Kraus offered Senate Resolution No. 1536, regarding Bryce Mercer, which was adopted.

Senator Kraus offered Senate Resolution No. 1537, regarding Christian Boyles, which was adopted.

Senator Kraus offered Senate Resolution No. 1538, regarding Daniel Lewis, which was adopted.

Senator Kraus offered Senate Resolution No. 1539, regarding Michael Pixley, which was adopted.

Senator Kraus offered Senate Resolution No. 1540, regarding Austin Eveler, which was adopted.

Senator Brown offered Senate Resolution No. 1541, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. William Kaimann, Camdenton, which was adopted.

**INTRODUCTIONS OF GUESTS**

Senator Richard introduced to the Senate, Dr. Gary Melhorn, Springfield.

Senator Pearce introduced to the Senate, Kyle Shell, Christine Prael, and students from University of Central Missouri.

Senator Schaefer introduced to the Senate, Dr. Kristin Sohl, Pediatricians and students from the University of Missouri-Columbia.

Senator Lamping introduced to the Senate, Rick York, D.O., David Tannehill, D.O., Tim Jennings, D.O., Mark Pelikan, D.O., Michelle Goetz, D.O., Lee Parks, D.O., Tony D'Angelo, D.O., Leah Silver, D.O., Jarad Schwartz, D.O., and students Tara Rognan, Jessica Baidetti, Katelin Kehoe, Brian Moore and Mary Ann

Chrzaszcz, St. Louis.

Senator Dixon introduced to the Senate, Jane Duff, Springfield.

Senator Walsh introduced to the Senate, Christine Chadwick, Dr. Terry Jones, Leon Sharpe, and members of 2013-2014 Leadership St. Louis.

Senator Romine introduced to the Senate, Kory, Juli, Van and Max Kleppe, Farmington.

Senator Dixon introduced to the Senate, Matt Bailey, Charlyce Ruth and Mike Benna, Springfield.

Senator Lager introduced to the Senate, students from Northwest Missouri State University.

On behalf of Senators Emery, Parson and himself, Senator Pearce introduced to the Senate, Jan Jones, Johnson County; Jamie Nichols, Saline County; Ronda Ake, Henry County; and Barbara Clevenger, Pettis County.

Senator Dempsey introduced to the Senate, Carl Maus, St. Charles County.

Senator Schaaf introduced to the Senate, Abigail and Brook Rinehart, St. Joseph.

On motion of Senator Richard, the Senate adjourned under the rules.

## SENATE CALENDAR

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THIRTY-SECOND DAY—THURSDAY, MARCH 6, 2014

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## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 871-Holsman	SB 885-Pearce
SB 872-Wallingford and Justus	SB 886-Schaefer
SB 873-Brown	SB 887-Schaefer
SB 874-Wasson	SB 888-Parson
SB 875-Sater	SB 889-Parson
SB 876-LeVota	SB 890-Kehoe
SB 877-Kraus	SB 891-Kehoe
SB 878-Lamping	SB 892-Kraus
SB 879-Sifton	SB 893-Kraus
SB 880-Sifton	SB 894-Munzlinger
SB 881-Sifton	SB 895-Sater
SB 882-Brown	SB 896-Wallingford
SB 883-Wasson	SB 897-Wallingford
SB 884-Wallingford and Sater	SB 898-Schaefer

SB 899-Justus and Schaaf	SB 939-Curls
SB 900-Lamping	SB 940-Curls
SB 901-Holsman	SB 941-Curls, et al
SB 902-Munzlinger	SB 942-Sater
SB 903-Silvey	SB 943-Justus
SB 904-Sifton	SB 944-Brown, et al
SB 905-Sater	SB 945-Brown, et al
SB 906-Holsman	SB 946-Dixon
SB 907-Richard	SB 947-Dixon
SB 908-Schaefer	SB 948-Wallingford
SB 909-Parson and Kehoe	SB 949-Munzlinger
SB 910-Schaaf	SB 950-Holsman
SB 911-Libla	SB 951-Holsman
SB 912-Wasson	SB 952-Dixon
SB 913-Wasson and Cunningham	SB 953-Nasheed
SB 914-Munzlinger	SB 954-Cunningham
SB 915-Dixon	SB 955-Cunningham
SB 916-Wallingford	SB 956-Schaaf
SB 917-Richard	SB 957-Holsman
SB 918-Holsman	SB 958-Nieves
SB 919-Justus	SB 959-Curls
SB 920-Munzlinger	SB 960-Munzlinger
SB 921-Schaaf	SB 961-Nasheed
SB 922-Schaaf	SB 962-Justus
SB 923-Emery	SB 963-Justus
SB 924-Emery	SB 964-Lager
SB 925-Emery	SB 965-Lager
SB 926-Sater	SB 966-Lager
SB 927-Lamping	SB 967-Lager
SB 928-Lamping	SB 968-Lager
SB 929-Lamping	SB 969-Kehoe
SB 930-Lamping	SB 970-Kehoe
SB 931-Nieves	SB 971-Kehoe
SB 932-Nieves	SB 972-Kehoe
SB 933-Nieves	SB 973-Brown
SB 934-Schaaf	SB 974-Rupp
SB 935-Holsman	SB 975-Emery
SB 936-Schaefer	SB 976-Emery
SB 937-Schaefer	SB 977-Schmitt
SB 938-Pearce	SB 978-Schmitt

SB 979-Schaefer	SB 992-Dempsey
SB 980-Schaefer	SB 993-Dempsey
SB 981-Schaefer	SB 994-Dixon
SB 982-Schaefer	SB 995-Sifton
SB 983-Pearce	SJR 49-Cunningham
SB 984-Sifton	SJR 50-Lamping
SB 985-Sifton	SJR 51-Lamping
SB 986-Sifton	SJR 52-Lamping
SB 987-Lamping	SJR 53-Lamping
SB 988-Lamping	SJR 54-Lamping
SB 989-Lamping	SJR 55-Nieves
SB 990-Lamping	SJR 56-Dixon
SB 991-Kraus	SJR 57-Lager

#### HOUSE BILLS ON SECOND READING

HB 1430-Jones (110), et al	HCS for HB 1079
HCS for HB 1058	HB 1087-Crawford and Franklin
HB 1133-Engler, et al	HB 1141-Love, et al
HCS for HB 1051	HCS for HB 1201
HJR 48-Solon, et al	HB 1222-Dugger
HJR 72-Richardson, et al	HB 1238-Hinson
HCS for HB 1412	HB 1361-Gosen and Wieland
HCS for HBs 1253 & 1297	HCS for HB 1376
HCS for HB 1295	HCS for HB 1523
HCS for HB 1510	HB 1268-Curtman, et al
HCS for HB 1044	HB 1092-Lant, et al
HB 1081-McCaherty, et al	HCS for HJR 47
HCS for HB 1085	HB 1073-Dugger, et al
HB 1126-Dugger and Entlicher	HB 1110-Rowland
HB 1197-Elmer	HB 1359-Flanigan
HB 1206-Wilson	HCS for HBs 1646 & 1515
HCS for HB 1217	HCS for HB 1296
HB 1270-Lant, et al	HB 1496-Reiboldt, et al
HB 1301-Neth	HB 1173-Burlison, et al
HB 1468-Dorhman, et al	HCS for HB 1426
HB 1616-Muntzel, et al	



## THIRD READING OF SENATE BILLS

SB 504-Munzlinger  
SCS for SB 735-Brown  
SCS for SB 643-Rupp

SS for SCS for SB 666-Schmitt  
(In Fiscal Oversight)  
SCS for SB 530-Libla

## SENATE BILLS FOR PERFECTION

SB 510-Kraus, with SCS  
SJR 25-Lager  
SB 573-Munzlinger, with SCS

SB 523-Emery  
SB 615-Dixon

## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

SB 491-Justus and Dixon, with SCS  
SBs 509 & 496-Kraus, with SCS, SS for  
SCS, SA 1 & SA 1 to SA 1 (pending)  
SB 518-Sater, with SCS, SA 2 & SA 1 to  
SA 2 (pending)  
SB 519-Sater, with SS & SA 1 (pending)  
SS for SB 543-Munzlinger

SB 575-Dixon  
SB 589-Brown, with SCS, SA 2 & SA 1 to  
SA 2 (pending)  
SB 612-Schaaf, with SCS  
SB 663-Munzlinger, with SCS  
SB 723-Parson, with SCS & SA 1 (pending)  
SJR 42-Schmitt

## CONSENT CALENDAR

Senate Bills

Reported 2/27

SB 719-Kehoe  
SB 499-Keaveny

SB 669-Schaaf

## RESOLUTIONS

To be Referred

HCS for HCR 13

# Journal of the Senate

## SECOND REGULAR SESSION

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**THIRTY-SECOND DAY—THURSDAY, MARCH 6, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“O taste and see that the Lord is good; happy are those who take refuge in him.” (Psalm 34:8)

Gracious God, You continue to provide us what we need, food for our bodies, work for our minds and love for our hearts for which we are truly thankful. As we finish up our work this day and return to those who love us, may we truly express this gratitude to them and to You this weekend in the various ways You provide us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—31	

Absent—Senators—None

Absent with leave—Senators

Lager                Wasson—2

Vacancies—1

The Lieutenant Governor was present.

## RESOLUTIONS

On behalf of Senator Lager, Senator Richard offered Senate Resolution No. 1542, regarding Caleb Osborn, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1543, regarding Samantha Caraway, Kirksville, which was adopted.

Senator Kehoe offered Senate Resolution No. 1544, regarding the 2013-2014 state champion Blair Oaks High School wrestling program, which was adopted.

Senator Kehoe offered Senate Resolution No. 1545, regarding Ben Campbell, which was adopted.

Senator Kehoe offered Senate Resolution No. 1546, regarding Logan Mudd, which was adopted.

Senator Kehoe offered Senate Resolution No. 1547, regarding Brad Thomas, which was adopted.

Senator Kehoe offered Senate Resolution No. 1548, regarding Cole Kemna, which was adopted.

Senator Kehoe offered Senate Resolution No. 1549, regarding Corbin Singer, which was adopted.

Senator Kehoe offered Senate Resolution No. 1550, regarding Gregory A. Spillman, Jr., which was adopted.

Senator Kehoe offered Senate Resolution No. 1551, regarding Benjamin James Bachler, which was adopted.

Senator Kehoe offered Senate Resolution No. 1552, regarding John Karsten, which was adopted.

Senator Kehoe offered Senate Resolution No. 1553, regarding Kenneth L. Oswald, Eldon, which was adopted.

Senator Schmitt offered Senate Resolution No. 1554, regarding Mason Cartwright Smith, which was adopted.

Senator Schmitt offered Senate Resolution No. 1555, regarding Jason Thomas Scherrer, which was adopted.

Senator Schmitt offered Senate Resolution No. 1556, regarding Kevin George Scherrer, which was adopted.

President Pro Tem Dempsey assumed the Chair.

### **SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **SB 649**; **SS** for **SCS** for **SB 650**; and **SCS** for **SB 651**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

Senator Pearce assumed the Chair.

### **THIRD READING OF SENATE BILLS**

**SB 504**, introduced by Senator Munzlinger, entitled:

An Act to repeal section 536.016, RSMo, and to enact in lieu thereof one new section relating to the availability of proposed rules on the internet.

Was taken up.

On motion of Senator Munzlinger, **SB 504** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford—30		

NAYS—Senators—None

Absent—Senator Walsh—1

Absent with leave—Senators

Lager Wasson—2

Vacancies—1

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 735**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 735

An Act to amend chapter 419, RSMo, by adding thereto one new section relating to campgrounds, with penalty provisions.

Was taken up by Senator Brown.

On motion of Senator Brown, **SCS** for **SB 735** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—30		

NAYS—Senator Kraus—1

Absent—Senators—None

Absent with leave—Senators

Lager Wasson—2

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 643**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 643

An Act to repeal sections 3.010, 3.066, and 3.090, RSMo, and to enact in lieu thereof three new sections relating to the publishing of Missouri statutes.

Was taken up by Senator Rupp.

On motion of Senator Rupp, **SCS** for **SB 643** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—30		

NAYS—Senator Rupp—1

Absent—Senators—None

Absent with leave—Senators

Lager                Wasson—2

Vacancies—1

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Photographers from the Columbia Missourian were given permission to take pictures in the Senate Chamber.

**SCS** for **SB 530**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 530

An Act to repeal section 211.447, RSMo, and to enact in lieu thereof one new section relating to termination of parental rights.

Was taken up by Senator Libla.

On motion of Senator Libla, **SCS** for **SB 530** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus
Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard
Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Wallingford—24

NAYS—Senators

Curls	Justus	Keaveny	LeVota	Walsh—5
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Absent—Senators

Holsman	Silvey—2
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Absent with leave—Senators

Lager	Wasson—2
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Vacancies—1

The President declared the bill passed.

On motion of Senator Libla, title to the bill was agreed to.

Senator Libla moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Tracy Mulderig, as the student representative of the University of Missouri Board of Curators;

Also,

Larry B. Newcomb, Jill L. Patterson, Mary D. Craig and Rhonda K. Haight, as members of the Child Abuse and Neglect Review Board;

Also,

James Kendall Seal, Democrat, as a member of the Missouri State University Board of Governors;

Also,

Melody Ann Smith, Republican, as a member of the Missouri Commission on Human Rights;

Also,

Bruce Darrough, Democrat, as a member of the Linn State Technical College Board of Regents;

Also,

Alyson C. Speed, as a member of the Missouri State Board of Nursing; and

Susan R. Sparks, Gregory B. Allen, Cynthia L. Parks and David E. Richards, as members of the State Historical Records Advisory Board.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

### **BILLS DELIVERED TO THE GOVERNOR**

**SB 649**; **SS** for **SCS** for **SB 650**; and **SCS** for **SB 651**, after having been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Governor by the Secretary of the Senate.

### **REFERRALS**

President Pro Tem Dempsey referred **HCS** for **HCR 13** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Dempsey assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 691**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 718**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 699**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 701**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 689**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 773**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 731**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 672**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 524**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 669**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 499**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 719**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 31**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred



**SCR 32**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 667**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 814**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 859**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, Senator Cunningham submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 593**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 623**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 631**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 766**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 790**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 745**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 501**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SJR 34**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 673**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SRB 714**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 734**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 693**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 662**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 607**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 727**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 716**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following report:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SB 696**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 564**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 660**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 675**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 712**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 720**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 796**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Kehoe assumed the Chair.

## **SECOND READING OF SENATE BILLS**

The following Bills were read the 2nd time and referred to the Committees indicated:

**SB 871**—Commerce, Consumer Protection, Energy and the Environment.

**SB 872**—Commerce, Consumer Protection, Energy and the Environment.

**SB 873**—Seniors, Families and Pensions.

**SB 874**—Financial and Governmental Organizations and Elections.

- SB 875**—Seniors, Families and Pensions.
- SB 876**—Transportation and Infrastructure.
- SB 877**—Small Business, Insurance and Industry.
- SB 878**—Commerce, Consumer Protection, Energy and the Environment.
- SB 879**—Judiciary and Civil and Criminal Jurisprudence.
- SB 880**—Governmental Accountability and Fiscal Oversight.
- SB 881**—Ways and Means.
- SB 882**—Jobs, Economic Development and Local Government.
- SB 883**—Financial and Governmental Organizations and Elections.
- SB 884**—Small Business, Insurance and Industry.
- SB 885**—Financial and Governmental Organizations and Elections.
- SB 886**—Judiciary and Civil and Criminal Jurisprudence.
- SB 887**—Education.
- SB 888**—Agriculture, Food Production and Outdoor Resources.
- SB 889**—Judiciary and Civil and Criminal Jurisprudence.
- SB 890**—Transportation and Infrastructure.
- SB 891**—Transportation and Infrastructure.
- SB 892**—Financial and Governmental Organizations and Elections.
- SB 893**—Financial and Governmental Organizations and Elections.
- SB 894**—Small Business, Insurance and Industry.
- SB 895**—Veterans’ Affairs and Health.
- SB 896**—Jobs, Economic Development and Local Government.
- SB 897**—Jobs, Economic Development and Local Government.
- SB 898**—Judiciary and Civil and Criminal Jurisprudence.
- SB 899**—Veterans’ Affairs and Health.
- SB 900**—Seniors, Families and Pensions.
- SB 901**—Financial and Governmental Organizations and Elections.
- SB 902**—Judiciary and Civil and Criminal Jurisprudence.
- SB 903**—Jobs, Economic Development and Local Government.
- SB 904**—Jobs, Economic Development and Local Government.

**SB 905**—Small Business, Insurance and Industry.

**SB 906**—Ways and Means.

**SB 907**—Education.

**SB 908**—Education.

**SB 909**—Commerce, Consumer Protection, Energy and the Environment.

**SB 910**—Veterans' Affairs and Health.

### INTRODUCTIONS OF GUESTS

Senator Emery introduced to the Senate, Jerry and Kathy Thomas, and their children, Aidan, Ian and Hanna, Lee's Summit; and Aidan, Ian and Hanna were made honorary pages.

Senator Silvey introduced to the Senate, Alicia, Katie and Jackson Moore, Liberty.

Senator Chappelle-Nadal introduced to the Senate, James Wilke, Nicole Adewale, Brenlyn Wilke, Adam Holahan, Xavier Morgan Gillard, Lydia Thoroughman and Yvonna Watford, University City.

Senator Schmitt introduced to the Senate, Patti Habeberger and Connie Yarbrough; and fourth grade students Sam Habeberger, Landon Lewis, Roman Little, Matthew McKean and Ian Yarbrough, Kennerly Elementary School, Sappington.

Senator Richard introduced to the Senate, Nancy Morton and Pete Ramsour, Joplin.

Senator Cunningham introduced to the Senate, Teresa Smoot and Home Schoolers from Texas County.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, March 10, 2014.

### SENATE CALENDAR

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THIRTY-THIRD DAY—MONDAY, MARCH 10, 2014

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### FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 911-Libla  
 SB 912-Wasson  
 SB 913-Wasson and Cunningham  
 SB 914-Munzlinger  
 SB 915-Dixon  
 SB 916-Wallingford

SB 917-Richard  
 SB 918-Holsman  
 SB 919-Justus  
 SB 920-Munzlinger  
 SB 921-Schaaf  
 SB 922-Schaaf

SB 923-Emery	SB 964-Lager
SB 924-Emery	SB 965-Lager
SB 925-Emery	SB 966-Lager
SB 926-Sater	SB 967-Lager
SB 927-Lamping	SB 968-Lager
SB 928-Lamping	SB 969-Kehoe
SB 929-Lamping	SB 970-Kehoe
SB 930-Lamping	SB 971-Kehoe
SB 931-Nieves	SB 972-Kehoe
SB 932-Nieves	SB 973-Brown
SB 933-Nieves	SB 974-Rupp
SB 934-Schaaf	SB 975-Emery
SB 935-Holsman	SB 976-Emery
SB 936-Schaefer	SB 977-Schmitt
SB 937-Schaefer	SB 978-Schmitt
SB 938-Pearce	SB 979-Schaefer
SB 939-Curls	SB 980-Schaefer
SB 940-Curls	SB 981-Schaefer
SB 941-Curls, et al	SB 982-Schaefer
SB 942-Sater	SB 983-Pearce
SB 943-Justus	SB 984-Sifton
SB 944-Brown, et al	SB 985-Sifton
SB 945-Brown, et al	SB 986-Sifton
SB 946-Dixon	SB 987-Lamping
SB 947-Dixon	SB 988-Lamping
SB 948-Wallingford	SB 989-Lamping
SB 949-Munzlinger	SB 990-Lamping
SB 950-Holsman	SB 991-Kraus
SB 951-Holsman	SB 992-Dempsey
SB 952-Dixon	SB 993-Dempsey
SB 953-Nasheed	SB 994-Dixon
SB 954-Cunningham	SB 995-Sifton
SB 955-Cunningham	SJR 49-Cunningham
SB 956-Schaaf	SJR 50-Lamping
SB 957-Holsman	SJR 51-Lamping
SB 958-Nieves	SJR 52-Lamping
SB 959-Curls	SJR 53-Lamping
SB 960-Munzlinger	SJR 54-Lamping
SB 961-Nasheed	SJR 55-Nieves
SB 962-Justus	SJR 56-Dixon
SB 963-Justus	SJR 57-Lager

## HOUSE BILLS ON SECOND READING

HB 1430-Jones (110), et al  
HCS for HB 1058  
HB 1133-Engler, et al  
HCS for HB 1051  
HJR 48-Solon, et al  
HJR 72-Richardson, et al  
HCS for HB 1412  
HCS for HBs 1253 & 1297  
HCS for HB 1295  
HCS for HB 1510  
HCS for HB 1044  
HB 1081-McCaherty, et al  
HCS for HB 1085  
HB 1126-Dugger and Entlicher  
HB 1197-Elmer  
HB 1206-Wilson  
HCS for HB 1217  
HB 1270-Lant, et al  
HB 1301-Neth  
HB 1468-Dohrman, et al  
HB 1616-Muntzel, et al

HCS for HB 1079  
HB 1087-Crawford and Franklin  
HB 1141-Love, et al  
HCS for HB 1201  
HB 1222-Dugger  
HB 1238-Hinson  
HB 1361-Gosen and Wieland  
HCS for HB 1376  
HCS for HB 1523  
HB 1268-Curtman, et al  
HB 1092-Lant, et al  
HCS for HJR 47  
HB 1073-Dugger, et al  
HB 1110-Rowland  
HB 1359-Flanigan  
HCS for HBs 1646 & 1515  
HCS for HB 1296  
HB 1496-Reiboldt, et al  
HB 1173-Burlison, et al  
HCS for HB 1426

## THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt (In  
Fiscal Oversight)

## SENATE BILLS FOR PERFECTION

1. SB 510-Kraus, with SCS
2. SJR 25-Lager
3. SB 573-Munzlinger, with SCS
4. SB 523-Emery
5. SB 615-Dixon
6. SB 691-Wasson
7. SB 718-Richard
8. SB 689-Schmitt, et al
9. SB 773-Lamping

10. SB 731-Nasheed, with SCS
11. SB 672-Parson, with SCS
12. SB 524-Cunningham, with SCS
13. SB 667-Schmitt
14. SB 814-Brown
15. SB 859-Brown
16. SB 593-Sater, with SCS
17. SB 623-Nieves, with SCS
18. SB 790-Dixon

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|----------------------------------|--------------------------------------|
| 19. SB 745-Munzlinger            | 28. SB 727-Chappelle-Nadal           |
| 20. SB 501-Keaveny               | 29. SB 716-Brown, with SCS           |
| 21. SJR 34-Emery                 | 30. SB 696-Schaefer                  |
| 22. SB 673-Kehoe and Wallingford | 31. SB 564-Chappelle-Nadal, with SCS |
| 23. SRB 714-Lager, with SCS      | 32. SB 660-Wallingford               |
| 24. SB 734-Cunningham            | 33. SB 675-Kehoe, with SCS           |
| 25. SB 693-Parson                | 34. SB 712-Walsh, with SCS           |
| 26. SB 662-Kraus                 | 35. SB 720-Justus, with SCS          |
| 27. SB 607-Dixon                 |                                      |

### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

- |   |  |
|---|--|
| SB 491-Justus and Dixon, with SCS   | SB 575-Dixon   |
| SBs 509 & 496-Kraus, with SCS, SS for<br>SCS, SA 1 & SA 1 to SA 1 (pending) | SB 589-Brown, with SCS, SA 2 & SA 1 to<br>SA 2 (pending) |
| SB 518-Sater, with SCS, SA 2 & SA 1 to<br>SA 2 (pending)                    | SB 612-Schaaf, with SCS                                  |
| SB 519-Sater, with SS & SA 1 (pending)                                      | SB 663-Munzlinger, with SCS                              |
| SS for SB 543-Munzlinger  | SB 723-Parson, with SCS & SA 1 (pending)                 |
|   | SJR 42-Schmitt   |

### CONSENT CALENDAR

#### Senate Bills

Reported 3/6

- |                    |                |
|--------------------|----------------|
| SB 699-Pearce      | SB 766-Keaveny |
| SB 701-Lager       | SB 796-Parson  |
| SB 631-Wallingford |                |

### RESOLUTIONS

Reported from Committee

- |               |               |
|---------------|---------------|
| SCR 31-Parson | SCR 32-Schaaf |
|---------------|---------------|



# Journal of the Senate

## SECOND REGULAR SESSION

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**THIRTY-THIRD DAY—MONDAY, MARCH 10, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Happy are everyone who fears the Lord, who walks in his ways.” (Psalm 128:1)

Lord God, we delight in our walk with You, and delight in our drive in the sunshine of a new day. Your light energizes us, and we are ready to work, and do that which You require of us. Bless us this week to work diligently with one another, and grant us wisdom to discern what is brought before us. Let us be supportive of each other, and helpful in our discussion so that Your will is made complete through us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, March 6, 2014, was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Parson offered Senate Resolution No. 1557, regarding Sally Hinkle, Morrisville, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1558, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Ronnie Farmer, Macon, which was adopted.

Senator Wallingford offered Senate Resolution No. 1559, regarding Reagan Kapp, Cape Girardeau, which was adopted.

Senator Kehoe offered Senate Resolution No. 1560, regarding Clayton E. Jenkins, Eugene, which was adopted.

Senator Kehoe offered Senate Resolution No. 1561, regarding Leroy Hayes, Laurie, which was adopted.

Senator Schaaf offered Senate Resolution No. 1562, regarding Alex Hall, which was adopted.

Senator Curls offered Senate Resolution No. 1563, regarding Alpha Kappa Alpha Sorority, Incorporated, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1564, regarding Christian Edward Polovich, Kirksville, which was adopted.

Senator Holsman offered Senate Resolution No. 1565, regarding Alyssa Moncure, which was adopted.

Senator Dixon offered Senate Resolution No. 1566, regarding Alvin F. Worthley, which was adopted.

Senator Nasheed offered Senate Resolution No. 1567, regarding Dr. Elisha Emdere-Catherine Peterson, St. Louis, which was adopted.

Senator Walsh offered Senate Resolution No. 1568, regarding Dana L. Spitzer, Kirkwood, which was adopted.

### **MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

March 7, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Kyle E. Brost, 3508 Pheasant Cove Drive, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the State Board of Optometry, for a term ending June 30, 2015, and until his successor is duly appointed and qualified; vice, Michael L. Nichols, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

March 7, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

James Kent Emison, Democrat, 109 Autumn Drive, Higginsville, Lafayette County, Missouri 64037, as a member of the Conservation Commission, for a term ending June 30, 2019, and until his successor is duly appointed and qualified; vice, Tim Dollar.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

March 7, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

John Lyskowski, Independent, 1722 Hayselton Drive, Jefferson City, Cole County, Missouri 65109, as a member of the State Board of Registration for the Healing Arts, for a term ending September 3, 2015, and until his successor is duly appointed and qualified; vice, Fareesa Khan, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

March 7, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jennifer Morgan, 19500 East Bundschu Road, Independence, Jackson County, Missouri 64056, as a member of the Board of Therapeutic Massage, for a term ending June 17, 2014, and until her successor is duly appointed and qualified; vice, Kevin W. Snedden, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

March 7, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment.

Joel P. Rhodes, 2001 Yorktown, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the State Historical Records Advisory Board, for a term ending November 1, 2016, and until his successor is duly appointed and qualified; vice, Joel P. Rhodes, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Dempsey referred the above appointments to the Committee on Gubernatorial Appointments.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **SS** for **SB 668**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2014**, entitled:

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2014.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HRB 1298**, entitled:

An Act to repeal sections 8.305, 21.485, 21.800, 21.801, 21.910, 82.291, 105.915, 143.811, 160.254, 160.534, 160.932, 160.933, 168.081, 168.083, 171.033, 191.115, 192.105, 196.1035, 197.291, 208.955, 262.950, 301.129, 311.489, 374.776, 376.825, 376.826, 376.827, 376.830, 376.833, 376.836, 383.250, 393.171, 407.485, 443.805, 488.2205, 542.301, 620.602, 630.461, 633.410, 640.850, 650.120, 660.425, 660.430, 660.435, 660.440, 660.445, 660.450, 660.455, 660.460, 660.465, 701.058, and 701.502, RSMo, and to enact in lieu thereof eleven new sections for the sole purpose of repealing expired, ineffective, and obsolete statutory provisions, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HRB 1299**, entitled:

An Act to repeal sections 3.070, 8.700, 8.110, 8.115, 8.180, 8.200, 8.260, 8.310, 8.315, 8.316, 8.320, 8.325, 8.330, 8.340, 8.350, 8.360, 8.800, 8.830, 8.843, 33.710, 33.750, 33.752, 33.753, 33.756, 34.031, 36.030, 37.005, 37.010, 37.020, 37.110, 43.251, 64.090, 89.020, 135.326, 135.335, 135.339, 143.782, 143.790, 143.1002, 160.700, 160.545, 161.418, 161.424, 167.034, 167.122, 167.123, 169.520, 172.875, 181.110, 186.019, 189.095, 191.737, 191.850, 191.853, 191.855, 191.857, 191.858, 191.859, 191.861, 191.863, 191.865, 191.867, 192.601, 192.935, 193.075, 193.215, 196.1103, 197.312, 197.318, 197.367, 198.018, 198.026, 198.029, 198.077, 198.080, 198.087, 198.090, 198.189, 198.421, 198.428, 198.510, 198.515, 199.025, 205.960, 205.961, 205.962, 205.964, 205.965, 207.010, 207.020, 207.030, 207.070, 207.080, 208.015, 208.030, 208.041, 208.042, 208.047, 208.050, 208.060, 208.070, 208.072, 208.075, 208.080, 208.100, 208.120, 208.125, 208.130, 208.145, 208.150, 208.152, 208.154, 208.156, 208.157, 208.164, 208.165, 208.168, 208.175, 208.176, 208.180, 208.182, 208.190, 208.204, 208.210, 208.217, 208.225, 208.300, 208.325, 208.337, 208.345, 208.400, 208.405, 208.471, 208.477, 208.533, 208.606,

208.609, 208.621, 208.636, 208.780, 209.010, 209.020, 209.030, 209.050, 209.060, 209.070, 209.080, 209.090, 209.100, 209.110, 209.240, 209.251, 210.001, 210.115, 210.165, 210.166, 210.167, 210.192, 210.196, 210.254, 210.481, 210.536, 210.537, 210.543, 210.545, 210.551, 210.560, 210.720, 210.829, 210.830, 210.834, 210.843, 210.846, 210.870, 210.900, 210.950, 211.081, 211.180, 211.183, 211.455, 211.477, 217.575, 226.008, 226.805, 251.100, 251.240, 253.320, 261.010, 285.300, 288.220, 288.270, 301.020, 302.133, 302.134, 302.135, 302.137, 302.171, 302.178, 311.650, 313.210, 320.260, 324.032, 334.125, 338.314, 361.010, 376.819, 452.345, 452.346, 452.347, 452.350, 452.370, 452.416, 453.005, 453.014, 453.015, 453.026, 453.065, 453.070, 453.074, 453.077, 453.102, 453.110, 453.400, 454.400, 454.403, 454.405, 454.408, 454.415, 454.420, 454.425, 454.430, 454.432, 454.433, 454.435, 454.440, 454.445, 454.450, 454.455, 454.460, 454.465, 454.472, 454.478, 454.490, 454.495, 454.496, 454.500, 454.505, 454.513, 454.530, 454.531, 454.565, 454.600, 454.700, 454.853, 454.902, 454.1000, 454.1003, 454.1023, 454.1027, 454.1029, 483.163, 487.080, 487.150, 513.430, 516.350, 577.608, 590.040, 595.030, 595.036, 595.037, 595.060, 610.029, 610.120, 620.010, 620.483, 620.490, 620.556, 620.558, 620.560, 620.562, 620.566, 620.570, 620.572, 620.1100, 620.1580, 630.097, 632.070, 650.005, 660.010, 660.050, 660.053, 660.054, 660.055, 660.057, 660.058, 660.060, 660.062, 660.067, 660.069, 660.070, 660.075, 660.130, 660.225, 660.250, 660.255, 660.260, 660.261, 660.263, 660.265, 660.270, 660.275, 660.280, 660.285, 660.290, 660.295, 660.300, 660.305, 660.310, 660.315, 660.317, 660.320, 660.321, 660.400, 660.403, 660.405, 660.407, 660.409, 660.411, 660.414, 660.416, 660.418, 660.420, 660.523, 660.525, 660.526, 660.600, 660.603, 660.605, 660.608, 660.620, 660.690, and 701.336, RSMo, and to enact in lieu thereof three hundred forty new sections for the sole purpose of codifying previous executive branch reorganizations, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1501**, entitled:

An Act to repeal sections 99.1205, 135.350, 135.352, 253.545, 253.550, 253.557, and 253.559, RSMo, and to enact in lieu thereof seventeen new sections relating to tax incentive programs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1310** and **1236**, entitled:

An Act to amend chapter 348, RSMo, by adding thereto two new sections relating to the Missouri Angel Investment Incentive Act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1261**, entitled:

An Act to repeal sections 105.145, 238.222, and 238.272, RSMo, and to enact in lieu thereof three new sections relating to transportation development districts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1495**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to early stage business development corporations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1435**, entitled:

An Act to amend chapter 144, RSMo, by adding thereto one new section relating to a sales tax exemption for farm products sold at farmers' markets.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1459**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the innovation campus tax credit.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SB 668**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

### SENATE BILLS FOR PERFECTION

Senator Kraus moved that **SB 509** and **SB 496**, with **SCS**, **SS** for **SCS**, **SA 1** and **SA 1** to **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 1** to **SA 1** was again taken up.

At the request of Senator Kraus, **SS** for **SCS** for **SBs 509** and **496** was withdrawn, rendering **SA 1** and **SA 1** to **SA 1** moot.

Senator Kraus offered **SS No. 2** for **SCS** for **SBs 509** and **496**, entitled:

#### SENATE SUBSTITUTE NO. 2 FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 509 and 496

An Act to repeal sections 135.350, 135.352, 143.151, 253.550, 253.557, and 253.559, RSMo, and to enact in lieu thereof six new sections relating to taxation.

Senator Kraus moved that **SS No. 2** for **SCS** for **SBs 509** and **496** be adopted.

Senator Pearce assumed the Chair.

Senator Schmitt offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 509 and 496, Pages 1-3, Section 135.350, by striking all of said section from the bill; and

Further amend said bill, pages 3-5, section 135.352, by striking all of said section from the bill and inserting in lieu thereof the following:

“143.011. **1.** A tax is hereby imposed for every taxable year on the Missouri taxable income of every resident. The tax shall be determined by applying the tax table or the rate provided in section 143.021, which is based upon the following rates:

If the Missouri taxable income is:	The tax is:
Not over \$1,000.00 . . . . .	1 1/2% of the Missouri taxable income
Over \$1,000 but not over \$2,000	\$15 plus 2% of excess over \$1,000
Over \$2,000 but not over \$3,000	\$35 plus 2 1/2% of excess over \$2,000
Over \$3,000 but not over \$4,000	\$60 plus 3% of excess over \$3,000
Over \$4,000 but not over \$5,000	\$90 plus 3 1/2% of excess over \$4,000
Over \$5,000 but not over \$6,000	\$125 plus 4% of excess over \$5,000
Over \$6,000 but not over \$7,000	\$165 plus 4 1/2% of excess

	over \$6,000
Over \$7,000 but not over \$8,000	\$210 plus 5% of excess over \$7,000
Over \$8,000 but not over \$9,000	\$260 plus 5 ½% of excess over \$8,000
Over \$9,000 . . . . .	\$315 plus 6% of excess over \$9,000

**2. (1) Beginning with the 2015 calendar year, the top rate of tax under subsection 1 of this section may be reduced over a period of years. Each reduction in the top rate of tax shall be by one-tenth of a percent, except that the final reduction under this subsection shall be by one-twentieth of a percent. No more than one reduction shall occur in a calendar year. The top rate of tax shall not be reduced below five and one-quarter percent. Reductions in the rate of tax shall take effect on January first of a calendar year and such reduced rates shall continue in effect until the next reduction occurs.**

**(2) A reduction in the rate of tax shall only occur if the amount of net general revenue collected in the previous fiscal year exceeds the highest amount of net general revenue collected in any of the three fiscal years prior to such fiscal year by at least one hundred million dollars.**

**(3) Any modification of tax rates under this subsection shall only apply to tax years that begin on or after a modification takes effect.**

**(4) The director of the department of revenue shall, by rule, adjust the tax tables under subsection 1 of this section to effectuate the provisions of this subsection. The bracket for income over nine thousand dollars shall be eliminated once the top rate of tax has been reduced to five and one-half of a percent.**

**143.021. 1.** Every resident having a taxable income of less than nine thousand dollars shall determine his tax from a tax table prescribed by the director of revenue and based upon the rates provided in section 143.011. The tax table shall be on the basis of one hundred dollar increments of taxable income below nine thousand dollars. The tax provided in the table shall be the amount rounded to the nearest whole dollar by applying the rates in section 143.011 to the taxable income at the midpoint of each increment, except there shall be no tax on a taxable income of less than one hundred dollars. Every resident having a taxable income of nine thousand dollars or more shall determine his tax from the rate provided in section 143.011. **This subsection shall only apply if the top rate of tax under section 143.011 is greater than five and one-half of a percent.**

**2.** Every resident having a taxable income of less than eight thousand dollars shall determine his tax from a tax table prescribed by the director of revenue and based upon the rates provided in section 143.011. The tax table shall be on the basis of one hundred dollar increments of taxable income below eight thousand dollars. The tax provided in the table shall be the amount rounded to the nearest whole dollar by applying the rates in section 143.011 to the taxable income at the midpoint of each increment, except there shall be no tax on a taxable income of less than one hundred dollars. Every resident having a taxable income of eight thousand dollars or more shall determine his tax from the rate provided in section 143.011. **This subsection shall only apply if the top rate of tax under section 143.011 is greater than five percent and less than or equal to five and one-half percent.**

**143.022. 1.** As used in this section, “business income” means the Missouri source net profit from business determined under the provisions of the Internal Revenue Code and partnership income



as determined by sections 143.401 and 143.471. Business income shall not include “compensation” as such term is defined under subsection 1 of Article IV of Section 32.200 or “guaranteed payments” as defined by the Internal Revenue Code.

2. In addition to all other modifications allowed by law, there shall be subtracted from the federal adjusted gross income of an individual taxpayer a percentage of business income, to the extent it is included in federal adjusted gross income when determining the taxpayer’s Missouri adjusted gross income.

3. In the case of a small corporation described in section 143.471 or a partnership, computing the deduction allowed under subsection 2 of this section, taxpayers described in subdivisions (1) or (2) of this subsection shall be allowed such deduction apportioned in proportion to their share of ownership of the business on the last day of the taxpayer’s tax period for which such deduction is being claimed when determining the Missouri adjusted gross income of:

(1) The shareholders of a small corporation as described in section 143.471;

(2) The partners in a partnership.

4. The percentage to be subtracted under subsection 2 of this section shall be increased over a period of years. Each increase in the percentage shall be by ten percent and no more than one increase shall occur in a calendar year. The maximum percentage that may be subtracted is fifty percent of business income. Any increase in the percentage that may be subtracted shall take effect on January first of a calendar year and such percentage shall continue in effect until the next percentage increase occurs. An increase shall only apply to tax years that begin on or after the increase takes effect.

5. An increase in the percentage that may be subtracted under subsection 2 of this section shall only occur if the amount of net general revenue collected in the previous fiscal year exceeds the highest amount of net general revenue collected in any of the three fiscal years prior to such fiscal year by at least one hundred million dollars.

6. The first year that a taxpayer may make the subtraction under subsection 2 of this section is 2015, provided that the provisions of subsection 5 of this section are met. If the provisions of subsection 5 of this section are met, the percentage that may be subtracted in 2015 is ten percent.”; and

Further amend said bill, pages 6-10, section 253.550, by striking all of said section from the bill; and

Further amend said bill, pages 10-11, section 253.557, by striking all of said section from the bill; and

Further amend said bill, pages 11-17, section 253.599, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted.

Senator Schmitt offered SA 1 to SA 1:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 509 and 496, Page 2, Section 143.011, Line 16, by striking the words “five and one-quarter” and inserting in lieu thereof the following: **“four and three-quarters”**; and

Further amend said amendment and section, page 3, line 4, by inserting immediately after said line the following:

**“The bracket for income over eight thousand dollars shall be eliminated once the top rate of tax has been reduced to five percent.”**; and

Further amend said amendment, page 4, section 143.021, line 4, by inserting after all of said line the following:

**“3. Every resident having a taxable income of less than seven thousand dollars shall determine his tax from a tax table prescribed by the director of revenue and based upon the rates provided in section 143.011. The tax table shall be on the basis of one hundred dollar increments of taxable income below seven thousand dollars. The tax provided in the table shall be the amount rounded to the nearest whole dollar by applying the rates in section 143.011 to the taxable income at the midpoint of each increment, except there shall be no tax on a taxable income of less than one hundred dollars. Every resident having a taxable income of seven thousand dollars or more shall determine his tax from the rate provided in section 143.011. This subsection shall only apply if the top rate of tax under section 143.011 is greater than four and three-quarters percent and less than or equal to five percent.”.**

Senator Schmitt moved that the above amendment be adopted.

Senator Nasheed requested a roll call vote be taken on the adoption of **SA 1** to **SA 1** and was joined in her request by Senators Holsman, Justus, Keaveny and Walsh.

**SA 1** to **SA 1** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Justus	Keaveny	Kraus	Munzlinger
Nasheed	Richard	Rupp	Sater	Schaefer	Schmitt	Silvey	Wallingford
Wasson—17							

NAYS—Senators

Chappelle-Nadal	Emery	Holsman	Kehoe	Lager	Lamping	LeVota	Libla
Nieves	Pearce	Romine	Schaaf	Sifton	Walsh—14		

Absent—Senator Parson—1

Absent with leave—Senator Curls—1

Vacancies—1

Senator Silvey offered **SA 2** to **SA 1**:

SENATE AMENDMENT NO. 2 TO  
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 509 and 496, Page 2, Section 143.011, Lines 20-24, by striking all of said lines and inserting in lieu thereof the following:

**“(2) A reduction in the rate of tax shall only occur if:**

**(a) The amount of net general revenue collected in the previous fiscal year exceeds the highest amount of net general revenue collected in any of the three fiscal years prior to such fiscal year by at least one hundred million dollars; and**

**(b) The amount appropriated to the state schools money fund created in section 166.051 for the current fiscal year is equal to the amount needed to fully fund the entitlement calculations under subsections 1 and 2 of section 163.031.”; and**

Further amend said amendment, page 5, section 143.022, lines 9-14, by striking all of said lines and inserting in lieu thereof the following:

**“5. An increase in the percentage that may be subtracted under subsection 2 of this section shall only occur if:**

**(1) The amount of net general revenue collected in the previous fiscal year exceeds the highest amount of net general revenue collected in any of the three fiscal years prior to such fiscal year by at least one hundred million dollars; and**

**(2) The amount appropriated to the state schools money fund created in section 166.051 for the current fiscal year is equal to the amount needed to fully fund the entitlement calculations under subsections 1 and 2 of section 163.031.”.**

Senator Silvey moved that the above amendment be adopted.

Senator Schmitt raised the point of order that **SA 2** to **SA 1** is out of order in that it goes beyond the scope of the underlying of the bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

At the request of Senator Kraus, **SB 509** and **SB 496**, with **SCS**, **SS No. 2** and **SA 1**, as amended (pending), were placed on the Informal Calendar.

Senator Kraus moved that **SB 510**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 510**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 510

An Act to repeal sections 288.030 and 288.050, RSMo, and to enact in lieu thereof two new sections relating to disqualification from unemployment benefits.

Was taken up.

Senator Kraus moved that **SCS** for **SB 510** be adopted.

Senator Kraus offered **SS** for **SCS** for **SB 510**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 510

An Act to repeal sections 288.030 and 288.050, RSMo, and to enact in lieu thereof two new sections relating to disqualification from unemployment benefits.

Senator Kraus moved that **SS** for **SCS** for **SB 510** be adopted, which motion prevailed.

Senator Rupp assumed the Chair.

On motion of Senator Kraus, **SS** for **SCS** for **SB 510** was declared perfected and ordered printed.

At the request of Senator Lager, **SJR 25** was placed on the Informal Calendar.

Senator Schaaf moved that **SB 612**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 612**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 612

An Act to repeal section 143.183, RSMo, and to enact in lieu thereof one new section relating to nonresident entertainer income taxes.

Was taken up.

Senator Schaaf moved that **SCS** for **SB 612** be adopted, which motion prevailed.

On motion of Senator Schaaf, **SCS** for **SB 612** was declared perfected and ordered printed.

At the request of Senator Munzlinger, **SB 573**, with **SCS**, was placed on the Informal Calendar.

Senator Emery moved that **SB 523** be taken up for perfection, which motion prevailed.

On motion of Senator Emery, **SB 523** was declared perfected and ordered printed.

President Pro Tem Dempsey assumed the Chair.

**SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **SS** for **SB 668**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Rupp assumed the Chair.

**SENATE BILLS FOR PERFECTION**

Senator Dixon moved that **SB 615** be taken up for perfection, which motion prevailed.

On motion of Senator Dixon, **SB 615** was declared perfected and ordered printed.

Senator Wasson moved that **SB 691** be taken up for perfection, which motion prevailed.

Senator Wasson offered **SS** for **SB 691**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 691

An Act to amend chapter 379, RSMo, by adding thereto one new section relating to sinkhole insurance coverage for property damage caused by sinkhole activity.

Senator Wasson moved that **SS** for **SB 691** be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **SB 691** was declared perfected and ordered printed.

**SB 718** was placed on the Informal Calendar.

Senator Schmitt moved that **SB 689** be taken up for perfection, which motion prevailed.

Senator Dixon assumed the Chair.

Senator Schmitt offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 689, Page 2, Section 311.200, Line 45, by inserting after all of said line the following:

“Section B. The provisions of this act shall take effect on January 1, 2015.”; and

Further amend the title accordingly.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Schmitt, **SB 689**, as amended, was declared perfected and ordered printed.

Senator Rupp moved that **SB 773** be taken up for perfection, which motion prevailed.

Senator Munzlinger offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 773, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: “to emergency service providers.”; and

Further amend said bill, page 4, section 190.105, line 95 by inserting immediately after all of said line the following:

**“190.336. 1. Each member of an emergency services board established pursuant to section 190.335 shall be subject to recall from office by the registered voters of the election district from which he or she was elected. Proceedings may be commenced for the recall of any such member by the filing of a notice of intention to circulate a recall petition under this section.**

**2. Proceedings may not be commenced against any member if, at the time of commencement, such member:**

**(1) Has not held office during his or her current term for a period of more than one hundred eighty days;**

**(2) Has one hundred eighty days or less remaining in his or her term; or**

**(3) Has had a recall election determined in his or her favor within the current term of office.**

**3. The notice of intention to circulate a recall petition shall be served personally, or by certified mail, on the board member sought to be recalled. A copy thereof shall be filed, along with an affidavit of the time and manner of service, with the election authority, as defined in chapter 115. A separate notice shall be filed for each board member sought to be recalled and shall contain all of the following:**

**(1) The name of the board member sought to be recalled;**

**(2) A statement, not exceeding two hundred words in length, of the reasons for the proposed recall; and**

**(3) The names and business or residential addresses of at least one but not more than five proponents of the recall.**

**4. Within seven days after the filing of the notice of intention, the board member may file with the election authority a statement, not exceeding two hundred words in length, in answer to the statement of the proponents. If an answer is filed, the board member shall also serve a copy of it, personally or by certified mail, on one of the proponents named in the notice of intention. The statement and answer are intended solely to be used for the information of the voters. No insufficiency in form or substance of such statements shall affect the validity of the election proceedings.**

**5. Before any signature may be affixed to a recall petition, the petition is required to bear all of the following:**

**(1) A request that an election be called to elect a successor to the board member;**

**(2) A copy of the notice of intention, including the statement of grounds for recall;**

**(3) The answer of the board member sought to be recalled, if any exists. If the board member has not answered, the petition shall so state; and**

**(4) A place for each signer to affix his or her signature, printed name, and residential address, including any address in a city, town, village, or unincorporated community.**

**6. Each section of the petition, when submitted to the election authority, shall have attached to it an affidavit signed by the person circulating such section, setting forth all of the following:**

**(1) The printed name of the affiant;**

**(2) The residential address of the affiant;**

**(3) That the affiant circulated that section and saw the appended signatures be written;**

**(4) That according to the best information and belief of the affiant, each signature is the genuine signature of the person whose name it purports to be;**

**(5) That the affiant is a registered voter of the election district of the board member sought to be recalled; and**

**(6) The dates between which all the signatures to the petition were obtained.**

**7. A recall petition shall be filed with the election authority not more than one hundred eighty days after the filing of the notice of intention.**

**8. The number of qualified signatures required in order to recall a board member shall be equal in number to at least twenty-five percent of the number of voters who voted in the most recent gubernatorial election in such election district.**

**9. Within twenty days from the filing of the recall petition the election authority shall determine whether the petition was signed by the required number of qualified signatures. The election authority shall file with the petition a certificate showing the results of the examination. The election authority shall give the proponents a copy of the certificate upon their request.**

**10. If the election authority certifies the petition to be insufficient, it may be supplemented within ten days of the date of certification by filing additional petition sections containing all of the information required by this section. Within ten days after the supplemental copies are filed, the election authority shall file with them a certificate stating whether or not the petition as supplemented is sufficient.**

**11. If the certificate shows that the petition as supplemented is insufficient, no action shall be taken on it; however, the petition shall remain on file.**

**12. If the election authority finds the signatures on the petition, together with the supplementary petition sections, if any, to be sufficient, it shall submit its certificate as to the sufficiency of the petition to the emergency services board prior to its next meeting. The certificate shall contain:**

- (1) The name of the member whose recall is sought;**
- (2) The number of signatures required by law;**
- (3) The total number of signatures on the petition; and**
- (4) The number of valid signatures on the petition.**

**13. Following the emergency services board's receipt of the certificate, the election authority shall order an election to be held on one of the election days specified in section 115.123. The election shall be held not less than forty-five days but not more than one hundred twenty days from the date the emergency services board receives the petition. Nominations for board membership openings under this section shall be made by filing a statement of candidacy with the election authority.**

**14. At any time prior to forty-two days before the election, the member sought to be recalled may offer his or her resignation. If his or her resignation is offered, the recall question shall be removed from the ballot and the office declared vacant. The member who resigned shall not fill the vacancy, which shall be filled as otherwise provided by law.**

**15. The provisions of chapter 115 governing the conduct of elections shall apply, where appropriate, to recall elections held under this section. The costs of the election shall be paid as provided in chapter 115.”; and**

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Rupp, **SB 773**, as amended, was declared perfected and ordered printed.

Senator Nasheed moved that **SB 731**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 731**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 731

An Act to repeal sections 82.1025, 82.1027, 82.1028, 82.1029, and 82.1030, RSMo, and to enact in lieu thereof five new sections relating to property regulations in certain cities and counties.

Was taken up.

Senator Nasheed moved that **SCS** for **SB 731** be adopted.

Senator Lager offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 731, Page 1, Section A, Line 3, by inserting immediately after all of said line the following:

“79.130. **1.** The style of the ordinances of the city shall be: “Be it ordained by the board of aldermen of the city of ....., as follows:” No ordinance shall be passed except by bill, and no bill shall become an ordinance unless on its final passage a majority of the members elected to the board of aldermen shall vote for it, and the ayes and nays be entered on the journal. Every proposed ordinance shall be introduced to the board of aldermen in writing and shall be read by title or in full two times prior to passage, both readings may occur at a single meeting of the board of aldermen. If the proposed ordinance is read by title only, copies of the proposed ordinance shall be made available for public inspection prior to the time the bill is under consideration by the board of aldermen. No bill shall become an ordinance until it shall have been signed by the mayor or person exercising the duties of the mayor’s office, or shall have been passed over the mayor’s veto, as herein provided.

**2. The provisions of this section shall not apply to ordinances proposed or passed under section 79.135.**

**79.135. 1. Any proposed ordinance may be submitted to the board of aldermen by petition signed by at least ten percent of the registered voters voting for mayor at the last municipal election. The petition shall contain, in addition to the requisite number of valid signatures, the full text of the ordinance sought to be passed and a request that the ordinance be submitted to a vote of the people if not passed by the board of aldermen. Prior to distributing the petition for signatures, the proposed ordinance may be submitted to the city attorney for review. The city attorney may provide comments regarding the ordinance to the petitioners but shall return the comments no later than thirty calendar days of the request for review.**

**2. The signatures to the petition need not all be appended to one paper, but each signer shall add to his or her signature his or her place of residence, giving the street and number. One of the signers of each such paper shall make oath before an officer competent to administer oaths that the statements therein made are true as he or she believes and that each signature to the paper appended is the genuine signature of the person whose name it purports to be.**



**3. Within ten days from the date of filing such petition, the city clerk shall examine and ascertain whether the petition is signed by the requisite number of voters, and, if necessary, the board of aldermen shall allow the clerk extra help for such purpose. The clerk shall attach a certificate of examination to the petition. If by the clerk's certificate the petition is shown to be insufficient, the petition may be amended within ten days from the date of the issuance of the clerk's certificate. The clerk shall, within ten days after such amendment, make like examination of the amended petition. If the second certificate shows the petition to be insufficient, the petition shall be returned to the person filing it, without prejudice to the filing of a new petition to the same effect. If the petition is deemed to be sufficient, the clerk shall submit it to the board of aldermen without delay.**

**4. Upon receipt of the petition and certificate from the clerk, the board of aldermen shall either:**

**(1) Pass said ordinance without alteration within twenty days after attachment of the clerk's certificate to the accompanying petition; or**

**(2) Submit the question without alteration to the voters at the next municipal election, or, if the petition has been signed by twenty five percent or more of the registered voters voting for mayor at the last municipal election, the board of aldermen shall immediately submit the question without alteration to the voters of the city.**

**5. The question shall be submitted in substantially the following form:**

**Shall the following ordinance be (adopted) (repealed)? (Set out ordinance)**

**6. If a majority of the voters vote in favor thereof, such ordinance shall thereupon become a valid and binding ordinance of the city.**

**7. Any number of proposed ordinances may be voted upon at the same election, in accordance with the provisions of this section.**

**8. Any ordinance in effect that was proposed by petition cannot be repealed except by a vote of the people. The board of aldermen may submit a proposition for the repeal of any such ordinance or for amendments thereto, to be voted upon at any municipal election; and should such proposition receive a majority of the votes cast thereon, such ordinance shall thereby be repealed or amended accordingly. The board of aldermen may amend an ordinance proposed by petition without a vote of the people, but the original purpose of the ordinance may not be changed by such amendment.”;**  
and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted.

Senator Nasheed raised the point of order that **SA 1** is out of order in that it goes beyond the scope of the bill and further that it is not germane to the subject matter of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Pearce assumed the Chair.

Senator Emery offered **SA 2**, which was read:

## SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 731, Pages 3-4, Section 82.1025, Lines 87-96, by striking all of said lines from the bill; and further renumber the remaining subsection accordingly; and

Further amend said bill, page 8, section 82.1029, lines 96 to 104, by striking all of said lines from the bill.

Senator Emery moved that the above amendment be adopted.

At the request of Senator Emery, **SA 2** was withdrawn.

Senator Schaaf offered **SA 3**, which was read:

## SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 731, Pages 3-4, Section 82.1025, Lines 87-96, by striking all of said lines from the bill; and further renumber the remaining subsection accordingly; and

Further amend said bill, page 8, section 82.1029, lines 96 to 104, by striking all of said lines from the bill.

Senator Schaaf moved that the above amendment be adopted.

At the request of Senator Nasheed, **SB 731**, with **SCS** and **SA 3** (pending), was placed on the Informal Calendar.

Senator Parson moved that **SB 672**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 672**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 672

An Act to repeal sections 56.067, 56.265, 56.363, 56.807, and 56.816, RSMo, and to enact in lieu thereof five new sections relating to county prosecutors.

Was taken up.

Senator Parson moved that **SCS** for **SB 672** be adopted.

Senator Dixon offered **SA 1**:

## SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 672, Page 1, Section A, Line 3, by inserting after all of said line the following:

“1.020. As used in the statutory laws of this state, unless otherwise specially provided or unless plainly repugnant to the intent of the legislature or to the context thereof:

(1) “Certified mail” or “certified mail with return receipt requested”, includes certified mail carried by the United States Postal Service, or any parcel or letter carried by an overnight, express, or ground delivery service that allows a sender or recipient to electronically track its location and provides record of the signature of the recipient;

(2) [“County or circuit attorney” means prosecuting attorney] **“County attorney”, “circuit attorney”, “district attorney”, “prosecuting attorney”, or “prosecutor” or any derivation thereof, when used in the context of the functions, duties, powers, and responsibilities of the office, means an elected official of a county or designated district with the responsibility for prosecuting violations of state law;**

(3) “Executor” includes administrator where the subject matter applies to an administrator;

(4) “General election” means the election required to be held on the Tuesday succeeding the first Monday of November, biennially;

(5) “Guardian”, if used in a section in a context relating to property rights or obligations, means conservator of the estate as defined in chapter 475. “Guardianship”, if used in a section in a context relating to rights and obligations other than property rights or obligations, means guardian of the person as defined in chapter 475;

(6) “Handicap” means a mental or physical impairment that substantially limits one or more major life activities, whether the impairment is congenital or acquired by accident, injury, or disease, and where the impairment is verified by medical findings;

(7) “Heretofore” means any time previous to the day when the statute containing it takes effect; and “hereafter” means the time after the statute containing it takes effect;

(8) “In vacation” includes any adjournment of court for more than one day whenever any act is authorized to be done by or any power given to a court, or judge thereof in vacation, or whenever any act is authorized to be done by or any power given to a clerk of any court in vacation;

(9) “Incompetent”, if used in a section in a context relating to actual occupational ability without reference to a court adjudication of incompetency, means the actual ability of a person to perform in that occupation. “Incompetent”, if used in a section in a context relating to the property rights and obligations of a person, means a disabled person as defined in chapter 475. “Incompetent”, if used in a section in a context relating to the rights and obligations of a person other than property rights and obligations, means an incapacitated person as defined in chapter 475;

(10) “Justice of the county court” means commissioner of the county commission;

(11) “Month” and “year”. “Month” means a calendar month, and “year” means a calendar year unless otherwise expressed, and is equivalent to the words year of our Lord;

(12) The word “person” may extend and be applied to bodies politic and corporate, and to partnerships and other unincorporated associations;

(13) “Personal property” includes money, goods, chattels, things in action and evidences of debt;

(14) “Place of residence” means the place where the family of any person permanently resides in this state, and the place where any person having no family generally lodges;

(15) “Preceding” and “following”, when used by way of reference to any section of the statutes, mean the section next preceding or next following that in which the reference is made, unless some other section is expressly designated in the reference;

(16) “Property” includes real and personal property;

(17) “Real property” or “premises” or “real estate” or “lands” is coextensive with lands, tenements and hereditaments;

(18) “State”, when applied to any of the United States, includes the District of Columbia and the territories, and the words “United States” includes such district and territories;

(19) “Under legal disability” includes persons within the age of minority or of unsound mind or imprisoned;

(20) “Ward”, if used in a section in a context relating to the property rights and obligations of a person, means a protectee as defined in chapter 475. “Ward”, if used in a section in a context relating to the rights and obligations of a person other than property rights and obligations, means a ward as defined in chapter 475;

(21) “Will” includes the words testament and codicil;

(22) “Written” and “in writing” and “writing word for word” includes printing, lithographing, or other mode of representing words and letters, but in all cases where the signature of any person is required, the proper handwriting of the person, or his mark, is intended.

56.010. **1.** At the general election to be held in [this state in the year A.D. 1982, and every four years thereafter,] **the years provided under this section**, there shall be elected [in each county of this state] a prosecuting attorney **or district attorney**, who shall be a person learned in the law, duly licensed to practice as an attorney at law in this state, and enrolled as such, at least twenty-one years of age, and who has been a bona fide resident of the county **or prosecutorial district** in which he **or she** seeks election for twelve months next preceding the date of the general election at which he is a candidate for such office and shall hold his **or her** office for four years, and until his **or her** successor is elected, commissioned and qualified.

**2. At the general election in the year 2018, and every four years thereafter, in each county that has not entered into a prosecutorial district under section 56.015, there shall be elected a prosecuting attorney.**

**3. At the general election in the year 2018, and every four years thereafter, in each prosecutorial district formed pursuant to section 56.015, there shall be elected a district attorney.**

**4. At the general election provided for in its charter, and every four years thereafter, in any judicial circuit composed of a single charter county, there shall be elected a prosecuting attorney or district attorney, as the charter may direct.**

**5. At the general election in the year 2016, in any county which has adopted a resolution or charter amendment pursuant to section 56.015 prior to January 1, 2015, there shall be elected a district attorney, for a term of two years.**

**56.015. 1.** The governing bodies of any two or more contiguous counties within a single judicial circuit may act cooperatively in the common employment of a district attorney. Additional counties within the judicial circuit may be admitted to participation by the consent of each county already participating and each county seeking to participate upon the approval of a new joint agreement under subsection 3 of this section. The territorial area comprising the participating counties shall be designated a “prosecutorial district” and, once elected at a general election pursuant to section 56.010, the prosecuting attorney serving the area shall be known as a “district attorney”, who shall have the

same duties prescribed by this chapter for prosecuting attorneys throughout the state and any additional duties as provided in section 56.060. In order to form or join a prosecutorial district:

(1) For counties not having a charter form of government, the county commission shall adopt a resolution to form or join a prosecutorial district and approve the joint agreement provided for in subsection 3 of this section;

(2) For counties having a charter form of government, the governing body shall adopt a charter amendment to form or join a prosecutorial district and approve the joint agreement provided for in subsection 3 of this section; and

(3) For any county seeking to form or join a prosecutorial district prior to January 1, 2015, the county commission shall receive written consent from the elected county prosecuting attorney before adopting the resolution or charter amendment.

2. Notice of the adoption of a resolution or charter amendment under subsection 1 of this section shall be transmitted to the secretary of state and the election authority of each county within the prosecutorial district at least twelve months in advance of the next general election at which a district attorney is to be elected under section 56.010. Except as otherwise provided under subsection 4 or 5 of this section, the formation or expansion of the prosecutorial district and abolishment of the county office of prosecuting attorney shall not take effect until a district attorney elected at the next general election pursuant to section 56.010 has entered upon the discharge of his or her duties.

3. The governing bodies of the counties electing to join together in a prosecutorial district shall approve a joint agreement which specifies the duties of each county. If any county seeks to join a prosecutorial district which has already been established pursuant to this section, the joint agreement shall be rewritten and reapproved by the governing body of each member county. Any agreement shall contain the following:

(1) The names of the counties within the district;

(2) The formula for calculating each county's contribution to the costs of the district;

(3) The formula for calculating each county's portion of the fee collected under subsection 4 of section 56.060; and

(4) The timing and procedures for approval of the prosecutorial district's annual budget by the governing bodies of the member counties.

4. In any judicial circuit composed of a single county, the governing body of the county may convert the office of prosecuting attorney to the office of district attorney. The district attorney shall have the same duties prescribed by this chapter for prosecuting attorneys throughout the state and any additional duties as provided under section 56.060. If the office is converted, the county shall be designated a prosecutorial district. In order to convert the office to that of a prosecutorial district:

(1) In a judicial circuit composed of a single charter county, the governing body of the county shall adopt a charter amendment to convert the office of prosecuting attorney to the office of district attorney;

(2) In a judicial circuit composed of a single noncharter county, the governing body of the county

shall adopt a resolution to convert the office of prosecuting attorney to the office of district attorney.

5. The prosecuting attorney of a county electing to convert the office as provided for in subsection 4 of this section shall perform the additional duties of a district attorney immediately upon the governing body taking the action provided for in subsection 4 of this section, but the election of a district attorney shall not occur until the next regular election for the office.

**56.017. 1.** Each district attorney shall have all the powers and duties of the office of prosecuting attorney provided to prosecuting attorneys in counties of the first classification under this chapter. Each district attorney representing counties of the second, third, or fourth classification shall also perform the duties provided for prosecuting attorneys in such counties under sections 56.291, 56.293, 56.300, and 56.305.

2. Each district attorney shall be responsible for the budgets and staff of the offices within the prosecutorial district or county. During his or her initial two-year term, any district attorney elected at the general election in 2016 shall employ as an assistant district attorney each person who served as an elected prosecuting attorney in any county in the prosecutorial district at the time of the election. Each district attorney may appoint such additional assistant district attorneys, and may employ such investigators and stenographic and clerical help as the district attorney deems necessary for the proper discharge of the duties of the district attorney's office, and may set their compensation within the limits of the allocations made for that purpose by joint agreement of the governing bodies of the counties in the prosecutorial district. The compensation for the assistant district attorneys, investigators and stenographic and clerical help shall be paid in equal installments out of the respective county treasuries in the same manner as other county employees are paid.

3. The assistant district attorneys shall be subject to the same fines and penalties for neglect of duty or misdemeanor in office as the district attorney.

4. All assistant district attorneys, investigators, and stenographic and clerical help shall hold office at the pleasure of the district attorney.

**56.060. 1.** Each prosecuting attorney or district attorney shall:

(1) Commence and prosecute all [civil and] criminal actions by adults in the prosecuting attorney's county or district attorney's prosecutorial district in which the county or state is concerned[.];

(2) Represent the state in any misdemeanor case that is taken to the court of appeals by appeal and make out and cause to be printed, at the expense of the county, all necessary abstracts of record and briefs, and if necessary appear in the court in person, or employ some attorney at the prosecuting attorney's own expense to represent the state in the court, and for his or her services he or she shall receive the compensation that is proper, not to exceed twenty-five dollars for each case, and necessary traveling expenses, to be audited and paid as other claims are audited and paid by the county commission;

(3) Defend all suits against the state [or county, and];

(4) Prosecute forfeited recognizances and actions for the recovery of debts, fines, penalties and forfeitures accruing to the state [or], county, or prosecutorial district; and

(5) Follow and prosecute or defend, as the case may be, all cases in which changes of venue are

**granted, for which, in addition to the fees now allowed by law, the prosecuting or district attorney shall receive his or her actual expenses.** [In all cases, civil and criminal, in which changes of venue are granted, the prosecuting attorney shall follow and prosecute or defend, as the case may be, all the causes, for which, in addition to the fees now allowed by law, the prosecuting attorney shall receive his or her actual expenses. If any misdemeanor case is taken to the court of appeals by appeal the prosecuting attorney shall represent the state in the case in the court and make out and cause to be printed, at the expense of the county, all necessary abstracts of record and briefs, and if necessary appear in the court in person, or shall employ some attorney at the prosecuting attorney's own expense to represent the state in the court, and for his or her services he or she shall receive the compensation that is proper, not to exceed twenty-five dollars for each case, and necessary traveling expenses, to be audited and paid as other claims are audited and paid by the county commission of the county.]

2. Notwithstanding the provisions of subsection 1 of this section, in any county for which a county counselor is appointed, the prosecuting attorney shall only perform those duties prescribed by subsection 1 of this section which are not performed by the county counselor under the provisions of law relating to the office of county counselor.

**3. In each county taking the actions provided in section 56.015, the district attorney shall perform the following duties in addition to all other duties imposed by law:**

**(1) Except as otherwise provided by law or for the collection of debt owed for services rendered by the state public defender system unless such collection is pursuant to a mutual agreement or memorandum of understanding between the public defender system and the district attorney, represent state agencies in the collection of debt; and**

**(2) Provide not less than six hours of continuing education to peace officers in the member counties in each year of his or her term of office.**

**4. In the absence of an agreement that states otherwise, the district attorney shall retain twenty percent of all debt collected on behalf of state agencies under subsection 3 of this section as a collection fee with:**

**(1) One-half of the fee collected to be payable to the state of Missouri and remitted to the director of revenue who shall deposit the amount collected pursuant to this section to the credit of the Missouri office of prosecution services fund to be used solely for the purpose of offsetting county expenses related to victim services, office supplies, postage, books, training, office equipment, capital outlay, expenses of trial and witness preparation, additional employees for the staff of the district attorney, and salary supplements for existing employees on the staff of the district attorney; and**

**(2) One-half of the fee collected to be payable to the county treasurer of each county in the prosecutorial district on a pro rata basis, pursuant to the agreement entered into by the counties under section 56.015, and deposited into the county treasury.”; and**

Further amend said bill, pages 1-2, section 56.265 by striking all of said section and inserting in lieu thereof the following:

“56.265. 1. [The county] A prosecuting attorney [in any county], other than a **prosecuting attorney** in a chartered county, shall receive an annual salary computed using the following schedule, when applicable. The assessed valuation factor shall be the amount thereof as shown for the year immediately preceding the

year for which the computation is done.

**(1) For a district attorney, he or she shall receive compensation equal to the compensation of an associate circuit judge. In multi-county prosecutorial districts, the total cost to the counties for the compensation of the district attorney shall be prorated among the counties, pursuant to the agreement entered into by the counties under section 56.015. Nothing in this subdivision shall be construed to prevent the governing body of a charter county from electing to compensate the district attorney in excess of the salary of an associate circuit judge;**

**(2) For a full-time [prosecutor] prosecuting attorney in a county not taking the actions provided in section 56.015, the prosecutor shall receive compensation equal to the compensation of an associate circuit judge;**

**[(2)] (3) For a part-time [prosecutor] prosecuting attorney in a county that is not part of a prosecutorial district as provided in section 56.015, the governing body of the county may elect to pay the part-time prosecuting attorney in accordance with one of the following options:**

**Option 1. Using the following scale:**

Assessed Valuation	Amount
\$ 18,000,000 to 40,999,999	\$37,000
41,000,000 to 53,999,999	38,000
54,000,000 to 65,999,999	39,000
66,000,000 to 85,999,999	41,000
86,000,000 to 99,999,999	43,000
100,000,000 to 130,999,999	45,000
131,000,000 to 159,999,999	47,000
160,000,000 to 189,999,999	49,000
190,000,000 to 249,999,999	51,000
250,000,000 to 299,999,999	53,000
300,000,000 or more	55,000; or

**Option 2. Compensation equal to one-half the compensation of a full-time prosecuting attorney provided under subdivision (2) of this subsection, but this option may only be selected if the presiding judge of the circuit court appoints the part-time prosecuting attorney to represent the juvenile officer in all juvenile court cases.**

2. Two thousand dollars of the salary authorized in **subdivisions (2) or (3) of subsection 1** of this section shall be payable to the prosecuting attorney only if the prosecuting attorney has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the prosecuting attorney's office when approved by a professional association of the county prosecuting attorneys of Missouri unless exempted from the training by the professional association. **Ten thousand dollars of the salary authorized for a district attorney under subdivision (1) of subsection 1 of this section shall be**



**payable to the district attorney only if he or she has completed at least thirty hours of such classroom instruction each calendar year unless exempted by the professional association.** The professional association approving the program shall provide a certificate of completion to each prosecuting attorney who completes the training program and shall send a list of certified prosecuting attorneys to the treasurer of each county. Expenses incurred for attending the training session may be reimbursed to the [county] prosecuting attorney in the same manner as other expenses as may be appropriated for that purpose.

3. As used in this section, the term “prosecuting attorney” includes the circuit attorney of any city not within a county.

4. The prosecuting attorney of any county which becomes a county of the first classification during a four-year term of office or a county which passed the proposition authorized by **subsection 1 of** section 56.363 shall not be required to devote full time to such office pursuant to section 56.067 until the beginning of the prosecuting attorney’s next term of office or until the proposition otherwise becomes effective.

5. The provisions of section 56.066 shall not apply to full-time prosecutors who are compensated pursuant to subdivision (1) of subsection 1 **or subdivision (2)** of this section.”; and

Further amend said bill, page 5, Section 56.363, line 78, by inserting after all of said line the following:

“56.430. At the general election to be held in this state in the year 1948, and every four years thereafter, there shall be elected in the city of St. Louis one circuit attorney, who shall reside in said city, and shall possess the same qualifications and be subject to the same duties that are prescribed by this chapter for **district or** prosecuting attorneys throughout the state.

56.805. As used in sections 56.800 to 56.840, the following words and terms mean:

(1) “Annuity”, annual payments, made in equal monthly installments, to a retired member from funds provided for, in, or authorized by, the provisions of sections 56.800 to 56.840;

(2) “Average final compensation”, the average compensation of an employee for the two consecutive years prior to retirement when the employee’s compensation was greatest;

(3) “Board of trustees” or “board”, the board of trustees established by the provisions of sections 56.800 to 56.840;

(4) “Compensation”, all salary and other compensation payable by a county to an employee for personal services rendered as an employee, but not including travel and mileage reimbursement;

(5) “County”, the city of St. Louis and each county in the state;

(6) “Creditable service”, the sum of both membership service and creditable prior service;

(7) “Effective date of the establishment of the system”, August 28, 1989;

(8) “Employee”, an elected or appointed prosecuting attorney [or circuit attorney who is employed by a county or a city not within a county];

(9) “Membership service”, service as a prosecuting [attorney or circuit] attorney after becoming a member that is creditable in determining the amount of the member’s benefits under this system;

(10) “Prior service”, service of a member rendered prior to the effective date of the establishment of the

system which is creditable under section 56.823;

(11) **“Prosecuting attorney”, shall included any elected or appointed prosecuting attorney employed by a county, district attorney employed by a prosecutorial district, or circuit attorney employed by a city not within a county;**

(12) **“Retirement system” or “system”, the prosecuting attorneys and circuit attorneys’ retirement system authorized by the provisions of sections 56.800 to 56.840.”; and**

Further amend said bill, page 5, section 56.807, line 16, by inserting after the word “cents” the following:

“;

(4) **For counties that have formed or joined a prosecutorial district under section 56.015, one thousand two hundred ninety-one dollars and sixty-seven cents, which shall be prorated among the counties pursuant to the joint agreement the counties entered into under section 56.015”;** and

Further amend said bill, page 7, section 56.816, line 15, by inserting after the word “county” the following: **“, as district attorney,”**; and

Further amend said bill, section, and page, line 33, by inserting after all of said line the following:

“211.411. 1. It is the duty of circuit, **district**, prosecuting and city attorneys, and county counselors representing the state or a city in any court, to give the juvenile officer such aid and cooperation as may not be inconsistent with the duties of their offices.

2. It is the duty of police officers, sheriffs and other authorized persons taking a child into custody to give information of that fact immediately to the juvenile court or to the juvenile officer or one of his deputies and to furnish the juvenile court or the juvenile officer all the facts in their possession pertaining to the child, its parents, guardian or other persons interested in the child, together with the reasons for taking the child into custody.

3. It is the duty of all other public officials and departments to render all assistance and cooperation within their jurisdictional power which may further the objects of this chapter. The court is authorized to seek the cooperation of all societies and organizations having for their object the protection or aid of children and of any person or organization interested in the welfare of children.”; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Parson moved that **SCS for SB 672**, as amended, be adopted, which motion prevailed.

On motion of Senator Parson, **SCS for SB 672**, as amended, was declared perfected and ordered printed.

Senator Cunningham moved that **SB 524**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS for SB 524**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 524

An Act to repeal section 67.150, RSMo, and to enact in lieu thereof one new section relating to benefits

for elected county officials.

Was taken up.

Senator Cunningham moved that **SCS** for **SB 524** be adopted, which motion prevailed.

On motion of Senator Cunningham, **SCS** for **SB 524** was declared perfected and ordered printed.

Senator Schmitt moved that **SB 667** be taken up for perfection, which motion prevailed.

Senator Munzlinger offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend Senate Bill No. 667, Page 2, Section 105.010, Line 10, by inserting immediately after said line the following:

“252.002. 1. There is hereby created a department of conservation to be headed by a conservation commission of four members appointed by the governor, by and with the advice and consent of the senate, not more than two of whom shall be of the same political party. The members shall have the qualifications, serve the terms and receive the expense reimbursement provided in Article IV, Constitution of Missouri. The commission shall appoint a director of the department of conservation who with its approval shall appoint assistants and other employees. **Any and all appointments made by the commission shall be made by and with the advice and consent of the senate.**

**2. A majority of commissioners, three, shall constitute a quorum for the transaction of business. If a quorum is not present, the remaining members shall adjourn the meeting to a later time. No business shall be transacted without a quorum.**

**3. All the powers, duties and functions of the conservation commission, chapters 252, 254, and others, are transferred by type I transfer to the department of conservation.”; and**

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Schmitt, **SB 667**, as amended, was declared perfected and ordered printed.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 5**.

#### HOUSE CONCURRENT RESOLUTION NO. 5

WHEREAS, the United States is still many years away from ending its dependency on nonrenewable resources despite recent focus on renewable energy. In order to fuel our economy, the United States will need more oil and natural gas, while also requiring additional alternative energy sources like ethanol and other renewables; and

WHEREAS, the United States currently depends on foreign imports for more than half of our petroleum usage. As the largest consumer of petroleum in the world, our dependence on foreign oil has created difficult geopolitical relationships with damaging consequences for our national security; and

WHEREAS, Canadian oil reserves are vast and are second only to Saudi Arabia, using current measurements. Oil sands now account for

more than half of western Canada's total oil output; and

WHEREAS, a recent study by the United States Department of Energy found that growing Canadian oil sands importation by the United States has the potential to substantially reduce the United States' dependency on sources outside of North America; and

WHEREAS, Canada is a friendly neighbor with whom the United States has an excellent trading and political relationship. Canada sends more than 99% of its oil exports to the United States, the bulk of which goes to Midwestern refineries. Canadian oil sands provide greater fuel supply reliability and reduce the risk of supply disruptions to consumers; and

WHEREAS, oil companies are investing large sums to expand and upgrade refineries in the Midwest and elsewhere to make gasoline and other refined products from the Canadian oil derived from oil sands; and

WHEREAS, some of the money used to buy Canadian oil will likely later be spent on imported U.S. goods and services, contrasting with the money sent to hostile oil-producing governments which may then be used to further anti-Western agendas; and

WHEREAS, supporting the continued shift towards reliable and secure sources of Canadian oil is of vital interest to the United States and the State of Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, Second Regular Session, the Senate concurring therein, hereby:

(1) Support continued and increased importation of Canadian oil sands;

(2) Urge Congress to support continued and increased importation of Canadian oil sands;

(3) Urge Congress to ask the United States Secretary of State to approve the TransCanada Keystone Coast Expansion pipeline project that has been awaiting a presidential permit since 2008 to reduce dependence on unstable governments, improve our national security, and strengthen ties with an important ally; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 11**.

#### HOUSE CONCURRENT RESOLUTION NO. 11

WHEREAS, women have served honorably and with courage in all of America's wars and conflicts since the American Revolution; and

WHEREAS, the United States military has evolved from a predominantly male force to a force of over 14% women who are currently serving on active duty, and nearly 17% serving in the Reserves and National Guard; and

WHEREAS, the population of women veterans is increasing exponentially from 1.1 million in 1980 to a projection of nearly 2 million by 2020, and will comprise more than 10% of the veteran population; and

WHEREAS, the projected population of male veterans is expected to continue to decline; and

WHEREAS, given that an unprecedented number of women are serving in the military and participating in Operation Enduring Freedom and Operation Iraqi Freedom, the United States Department of Veterans Affairs (VA) is working to provide consistent, comprehensive, and quality health care and benefits to women veterans of all eras; and

WHEREAS, the number of women veterans has increased over the last decade because there is an increasing number and proportion of women who are entering and leaving the military, and women are living longer than men and have a younger age distribution compared to male veterans; and

WHEREAS, even though the VA has been at the forefront of health care and lifestyle solutions affecting an aging male population, there is now a growing need to improve health care services for women veterans, ensure clinicians are properly trained to provide primary care and gender specific care to women of all ages, and identify innovative courses of treatment and solutions to obstacles that are unique to women veterans; and

WHEREAS, with a rapidly increasing number of women serving in the military today and returning from deployments as seasoned veterans, and some with exposure to combat, VA facilities and veterans service organizations are working to ensure that the post-deployment mental and physical health needs unique to women veterans are also met; and

WHEREAS, even though the roles of women in the military have changed over time and will continue to change, they deserve to be acknowledged for their military service and treated with equal respect:

NOW THEREFORE BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-seventh General Assembly, Second Regular Session, the Senate concurring therein, hereby encourages the Missouri Veterans Commission and its women veterans state coordinator to work in conjunction with the Center for Women Veterans at the United States Department of Veterans Affairs to reach out to all women veterans within the State of Missouri to encourage them to bring their specific needs and concerns to the attention of agency officials so that state legislators and agency officials may work together to identify unique issues impacting women veterans and consider policy solutions that will improve the quality of life for women veterans within this state; and

BE IT FURTHER RESOLVED that the Missouri General Assembly formally honors all of the women in this state who have heroically answered their call to duty and recognizes the important role women have played in shaping this great nation; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Missouri Veterans Commission.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCS** for **HCR 20**.

HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE CONCURRENT RESOLUTION NO. 20

WHEREAS, the total economic impact of agricultural sectors in Missouri is over \$31.4 billion annually and contributes to our nation's robust agricultural tradition; and

WHEREAS, Missouri's production of corn, cotton, and soybeans alone is valued at more than \$3.7 billion per year, with nearly 80 percent of corn and cotton and 50 percent of soybeans exported annually; and

WHEREAS, these yields are threatened due to no less than six weed species having developed glyphosate resistance throughout important agricultural counties in the state; and

WHEREAS, without access to new modes of action, farmers soon will be forced to revert to outdated, costly, and environmentally unsustainable farming practices to manage weeds such as tillage and weeding by hand; and

WHEREAS, crops tolerant to 2,4-D and dicamba represent new technologies that will inhibit herbicide-resistant weeds from reducing crop yields in Missouri and allow farmers to employ ecological and economical farming practices; and

WHEREAS, these new seed technologies have been under review by the United States Department of Agriculture (USDA) and Environmental Protection Agency (EPA) for three to four years or more; and

WHEREAS, these delays by federal regulatory agencies put Missouri farmers at a competitive disadvantage in the global marketplace as Canada and Brazil have already approved some of these crops; and

WHEREAS, American farmers also must have access to these same tools to provide a livelihood to their families and ensure that Missouri remains a top agricultural producing state:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, Second Regular Session, the Senate concurring therein, hereby request the United States Congress to urge the USDA and EPA to quickly approve 2,4-D and dicamba tolerant crops to allow Missouri farmers fair access to needed advancements in agriculture; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Majority and Minority Leaders of the United States Senate and the United States House of Representatives and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

### **INTRODUCTIONS OF GUESTS**

Senator Kehoe introduced to the Senate, representatives of the Boys and Girls Club, Jefferson City.

Senator Libla introduced to the Senate, twenty-three fourth grade students from Caruthersville Elementary School.

On motion of Senator Kehoe, the Senate adjourned under the rules.

### **SENATE CALENDAR**

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THIRTY-FOURTH DAY—TUESDAY, MARCH 11, 2014

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### **FORMAL CALENDAR**

#### **SECOND READING OF SENATE BILLS**

SB 911-Libla	SB 933-Nieves
SB 912-Wasson	SB 934-Schaaf
SB 913-Wasson and Cunningham	SB 935-Holsman
SB 914-Munzlinger	SB 936-Schaefer
SB 915-Dixon	SB 937-Schaefer
SB 916-Wallingford	SB 938-Pearce
SB 917-Richard	SB 939-Curls
SB 918-Holsman	SB 940-Curls
SB 919-Justus	SB 941-Curls, et al
SB 920-Munzlinger	SB 942-Sater
SB 921-Schaaf	SB 943-Justus
SB 922-Schaaf	SB 944-Brown, et al
SB 923-Emery	SB 945-Brown, et al
SB 924-Emery	SB 946-Dixon
SB 925-Emery	SB 947-Dixon
SB 926-Sater	SB 948-Wallingford
SB 927-Lamping	SB 949-Munzlinger
SB 928-Lamping	SB 950-Holsman
SB 929-Lamping	SB 951-Holsman
SB 930-Lamping	SB 952-Dixon
SB 931-Nieves	SB 953-Nasheed
SB 932-Nieves	SB 954-Cunningham

SB 955-Cunningham	SB 980-Schaefer
SB 956-Schaaf	SB 981-Schaefer
SB 957-Holsman	SB 982-Schaefer
SB 958-Nieves	SB 983-Pearce
SB 959-Curls	SB 984-Sifton
SB 960-Munzlinger	SB 985-Sifton
SB 961-Nasheed	SB 986-Sifton
SB 962-Justus	SB 987-Lamping
SB 963-Justus	SB 988-Lamping
SB 964-Lager	SB 989-Lamping
SB 965-Lager	SB 990-Lamping
SB 966-Lager	SB 991-Kraus
SB 967-Lager	SB 992-Dempsey
SB 968-Lager	SB 993-Dempsey
SB 969-Kehoe	SB 994-Dixon
SB 970-Kehoe	SB 995-Sifton
SB 971-Kehoe	SJR 49-Cunningham
SB 972-Kehoe	SJR 50-Lamping
SB 973-Brown	SJR 51-Lamping
SB 974-Rupp	SJR 52-Lamping
SB 975-Emery	SJR 53-Lamping
SB 976-Emery	SJR 54-Lamping
SB 977-Schmitt	SJR 55-Nieves
SB 978-Schmitt	SJR 56-Dixon
SB 979-Schaefer	SJR 57-Lager

## HOUSE BILLS ON SECOND READING

HB 1430-Jones (110), et al	HCS for HB 1085
HCS for HB 1058	HB 1126-Dugger and Entlicher
HB 1133-Engler, et al	HB 1197-Elmer
HCS for HB 1051	HB 1206-Wilson
HJR 48-Solon, et al	HCS for HB 1217
HJR 72-Richardson, et al	HB 1270-Lant, et al
HCS for HB 1412	HB 1301-Neth
HCS for HBs 1253 & 1297	HB 1468-Dohrman, et al
HCS for HB 1295	HB 1616-Muntzel, et al
HCS for HB 1510	HCS for HB 1079
HCS for HB 1044	HB 1087-Crawford and Franklin
HB 1081-McCaherty, et al	HB 1141-Love, et al

HCS for HB 1201  
 HB 1222-Dugger  
 HB 1238-Hinson  
 HB 1361-Gosen and Wieland  
 HCS for HB 1376  
 HCS for HB 1523  
 HB 1268-Curtman, et al  
 HB 1092-Lant, et al  
 HCS for HJR 47  
 HB 1073-Dugger, et al  
 HB 1110-Rowland  
 HB 1359-Flanigan  
 HCS for HBs 1646 & 1515

HCS for HB 1296  
 HB 1496-Reiboldt, et al  
 HB 1173-Burlison, et al  
 HCS for HB 1426  
 HB 2014-Stream  
 HCS for HRB 1298  
 HCS for HRB 1299  
 HCS for HB 1501  
 HCS for HBs 1310 & 1236  
 HCS for HB 1261  
 HB 1495-Torpey and Hicks  
 HB 1435-Johnson  
 HCS for HB 1459

### THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt (In  
 Fiscal Oversight)

### SENATE BILLS FOR PERFECTION

- |                                 |                                      |
|---------------------------------|--------------------------------------|
| 1. SB 814-Brown                 | 12. SB 693-Parson                    |
| 2. SB 859-Brown                 | 13. SB 662-Kraus                     |
| 3. SB 593-Sater, with SCS       | 14. SB 607-Dixon                     |
| 4. SB 623-Nieves, with SCS      | 15. SB 727-Chappelle-Nadal           |
| 5. SB 790-Dixon                 | 16. SB 716-Brown, with SCS           |
| 6. SB 745-Munzlinger            | 17. SB 696-Schaefer                  |
| 7. SB 501-Keaveny               | 18. SB 564-Chappelle-Nadal, with SCS |
| 8. SJR 34-Emery                 | 19. SB 660-Wallingford               |
| 9. SB 673-Kehoe and Wallingford | 20. SB 675-Kehoe, with SCS           |
| 10. SRB 714-Lager, with SCS     | 21. SB 712-Walsh, with SCS           |
| 11. SB 734-Cunningham           | 22. SB 720-Justus, with SCS          |

### INFORMAL CALENDAR

### SENATE BILLS FOR PERFECTION

- |   |  |
|---|--|
| SB 491-Justus and Dixon, with SCS       | SB 518-Sater, with SCS, SA 2 & SA 1 to |
| SBs 509 & 496-Kraus, with SCS, SS#2 for | SA 2 (pending)                         |
| SCS & SA 1 (pending)                    | SB 519-Sater, with SS & SA 1 (pending) |



SS for SB 543-Munzlinger  
SB 573-Munzlinger, with SCS  
SB 575-Dixon  
SB 589-Brown, with SCS, SA 2 & SA 1 to  
SA 2 (pending)  
SB 663-Munzlinger, with SCS

SB 718-Richard  
SB 723-Parson, with SCS & SA 1 (pending)  
SB 731-Nasheed, with SCS & SA 3 (pending)  
SJR 25-Lager  
SJR 42-Schmitt

## CONSENT CALENDAR

### Senate Bills

Reported 3/6

SB 699-Pearce  
SB 701-Lager  
SB 631-Wallingford

SB 766-Keaveny  
SB 796-Parson

## RESOLUTIONS

Reported from Committee

SCR 31-Parson

SCR 32-Schaaf

To be Referred

HCR 5-English, et al  
HCR 11-Walton Gray, et al

HCS for HCR 20

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# Journal of the Senate

## SECOND REGULAR SESSION

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**THIRTY-FOURTH DAY—TUESDAY, MARCH 11, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Seek the Lord and his strength; seek his presence continually.” (Psalm 105:4)

O God, You are our rock, You are a strong force in our lives even when we fail to recognize Your presence. May Your gifts nurture and guide us in such a way that we would not lose sight of Your love of us. Make us so aware of Your constant presence that our moments may be filled with words and deeds that are pleasing to You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Schmitt offered Senate Resolution No. 1569, regarding the Fiftieth Anniversary of the Ballwin

Police Department, which was adopted.

Senator Schmitt offered Senate Resolution No. 1570, regarding Five Star Burgers, Kirkwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 1571, regarding Pairings Wine & Dessert Bar, Des Peres, which was adopted.

Senator LeVota offered Senate Resolution No. 1572, regarding the One Hundredth Birthday of Ella Yount, Independence, which was adopted.

Senator Lager offered Senate Resolution No. 1573, regarding Grant Leeth, which was adopted.

Senator Lager offered Senate Resolution No. 1574, regarding Spencer Daugherty, which was adopted.

Senator Lager offered Senate Resolution No. 1575, regarding Blake Clevenger, which was adopted.

Senator Parson offered Senate Resolution No. 1576, regarding Savannah Moore, Lebanon, which was adopted.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 510**; **SB 615**; **SCS** for **SB 612**; **SCS** for **SB 524**; **SB 523**; **SB 667**; **SB 689**; and **SS** for **SB 691**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### **SENATE BILLS FOR PERFECTION**

Senator Richard moved that **SB 718** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Kehoe assumed the Chair.

At the request of Senator Richard, **SB 718** was placed on the Informal Calendar.

Senator Brown moved that **SB 814** be taken up for perfection, which motion prevailed.

Senator Justus offered **SA 1**:

### **SENATE AMENDMENT NO. 1**

Amend Senate Bill No. 814, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: "to tax incentives."; and

Further amend said bill and page, section 135.305, line 10, by inserting after all of said line the following:

**“348.273. 1. This section and section 348.274 shall be known and may be cited as the “Missouri Angel Investment Incentive Act”.**

**2. As used in this section and section 348.274, the following terms mean:**

**(1) “Cash investment”, money or money equivalent contribution;**

**(2) “Department”, the department of economic development;**

**(3) “Investor”:**

**(a) A natural person who is an accredited investor as defined in 17 CFR 230.501(a)(5) or 17 CFR 230.501(a)(6), as in effect on August 28, 2014; or**

**(b) A permitted entity investor who is an accredited investor as defined in 17 CFR 230.501(a)(8), as in effect on August 28, 2014; or**

**(c) A natural person or permitted entity investor making an investment who qualifies under the Jumpstart Our Business Startups Act, Pub. L. No. 112-106, Sections 301-305, 126 Stat. 315-323, as in effect on August 28, 2014.**

**The term “investor” shall not include any person who serves as an executive, officer, or employee of the business in which an otherwise qualified cash investment is made, and such person shall not qualify for the issuance of tax credits for such investment. However, an investor who serves solely as a director may qualify for the issuance of tax credits;**

**(4) “MTC”, the Missouri technology corporation, established under section 348.251;**

**(5) “Owner”, any natural person who is, directly or indirectly, a partner, stockholder, or member in a permitted entity investor;**

**(6) “Permitted entity investor”, any general partnership, limited partnership, corporation that has in effect a valid election to be taxed as an S corporation under the Internal Revenue Code of 1986, as amended, revocable living trust, nonprofit corporation, or limited liability company that has elected to be taxed as a partnership under the Internal Revenue Code of 1986, as amended, and that was established and is operated for the purpose of making investments in other entities;**

**(7) “Qualified knowledge-based company”, a company engaged in the research, development, implementation, and commercialization of innovative technologies, products, and services for use in the commercial marketplace;**

**(8) “Qualified Missouri business”, a Missouri business that is approved and certified as a qualified knowledge-based company by the MTC that meets at least one of the following criteria:**

**(a) Any business owned by an individual;**

**(b) Any partnership, association, or corporation domiciled in Missouri; or**

**(c) Any corporation, even if a wholly owned subsidiary of a foreign corporation, that has its business operations located primarily in Missouri or does substantially all its production in Missouri;**

**(9) “Qualified securities”, a cash investment through any one or more forms of financial assistance as provided in this subdivision and that have been approved in form and substance by the MTC, in**

coordination with the department by and through its service on the MTC board of directors. Forms of such financial assistance include:

(a) Any form of equity, such as:

a. A general or limited partnership interest;

b. Common stock;

c. Preferred stock, with or without voting rights, without regard to seniority position, and whether or not convertible into common stock; or

d. Any form of subordinate or convertible debt, or both, with warrants or other means of equity conversion attached; or

(b) A debt instrument, such as a note or debenture that is secured or unsecured, subordinated to the general creditors of the debtor and requiring no payments of principal, other than principal payments required to be made out of any future profits of the debtor, for at least a seven-year period after commencement of such debt instrument's term;

(10) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or otherwise due under chapter 147, 148, or 153.

3. The primary goal of the Missouri angel investment incentive act shall be to encourage individuals to provide early-stage financing for emerging qualified knowledge-based companies in Missouri through the issuance of tax credits to qualified investors who make cash investments for such early-stage financing.

4. (1) For all taxable years beginning on or after January 1, 2014, a tax credit shall be allowed for an investor's cash investment in the qualified securities of a qualified Missouri business occurring on or after August 28, 2014. The credit shall be in a total amount equal to fifty percent of such investor's cash investment in any qualified Missouri business, subject to the limitations set forth in this subsection. If the amount by which that portion of the credit allowed by this section exceeds the investor's tax liability in any one taxable year, the remaining portion of the credit may be carried forward five years or until the total amount of the credit is used, whichever occurs first. If the investor is a permitted entity investor, the credit provided by this section shall be claimed by the owners of the permitted entity investor in proportion to their equity investment in the permitted entity investor.

(2) A cash investment in a qualified security shall be deemed to have been made on the date of acquisition of the qualified security, as such date is determined in accordance with the provisions of the Internal Revenue Code of 1986, as amended.

(3) The department and MTC shall not issue tax credits of more than fifty thousand dollars in a single year to an investor per investment into a single, qualified Missouri business. The department and MTC shall not issue tax credits totaling more than two hundred fifty thousand dollars in a single year per investor. No tax credits authorized by this section and section 348.274 shall be allowed for any cash investments in qualified securities made in any year beginning after December 31, 2024. The total amount of tax credits allowed under this section shall not exceed six million dollars in any fiscal year. The balance of unissued tax credits may be carried over for issuance in future years until December 31, 2024.

**(4) At the beginning of each calendar year, the MTC shall equally allocate the total tax credits available during that calendar year to each geographic region comprised of the boundaries of each congressional district, as such boundaries may be amended from time to time, within Missouri. At the beginning of each calendar quarter, the MTC shall make available one-fourth of the total annual tax credits for each region for investments made in qualified Missouri businesses located in each such region. As soon as practicable after the end of each calendar quarter, the MTC shall prepare and issue a report to the director of the department designating all tax credit awards for that quarter, so that the department may issue such tax credits in accordance with the provisions of this section and section 348.274.**

**(5) Any unissued tax credits allocated to a region for a quarter may be reallocated and awarded in any other region in a following quarter, provided however, in the fourth quarter any unissued tax credits may be reallocated and awarded in that quarter in accordance with this section.**

**5. (1) Before an investor may be entitled to receive tax credits under this section and section 348.274, such investor shall have made a cash investment in a qualified security of a qualified Missouri business. The business shall have been approved as a qualified Missouri business before the date on which the cash investment was made. To be designated as a qualified Missouri business, a business shall apply to MTC in accordance with the provisions of this section.**

**(2) The application by a business shall be in the form and substance as required by the MTC, in coordination with the department by and through its service on the MTC board of directors, but shall include at least the following:**

**(a) The name of the business and certified copies of the organizational documents of the business;**

**(b) A business plan, including a description of the business and the management, product, market, and financial plan of the business;**

**(c) A statement of the potential economic impact of the business, including the number, location, and types of jobs expected to be created;**

**(d) A description of the qualified securities to be issued, the consideration to be paid for the qualified securities, and the amount of any tax credits requested;**

**(e) A statement of the amount, timing, and projected use of the proceeds to be raised from the proposed sale of qualified securities; and**

**(f) Such other information as may be reasonably requested.**

**(3) The designation of a business as a qualified Missouri business shall be made by the MTC, and such designation shall be renewed annually. A business shall be so designated if the MTC determines, based upon the application submitted by the business and any additional information provided in connection with such application, that such business meets the established criteria, which shall include at least the following:**

**(a) The business shall not have had annual gross revenues of more than five million dollars in the most recent tax year of the business;**

**(b) Businesses that are not deemed to be bioscience businesses shall have been in operation for less**

than five years, and businesses determined to be bioscience businesses shall have been in operation for less than ten years;

(c) The ability of investors in the business to receive tax credits for cash investments in qualified securities of the business is beneficial to advancing the goals of this section and section 348.274;

(d) The business shall not have ownership interests including, but not limited to, common or preferred shares of stock that can be traded via a public stock exchange before the date that a qualifying investment is made;

(e) The business shall not be engaged primarily in any one or more of the following enterprises:

a. The business of banking, savings and loan or lending institutions, credit or finance, or financial brokerage or investments;

b. The provision of professional services, such as legal, accounting, or engineering services, provided, however, that contract research organizations, sometimes referred to as CROs, shall not be subject to this exclusion;

c. Governmental, charitable, religious, or trade organizations;

d. The ownership, development, brokerage, sales, or leasing of real estate;

e. Insurance;

f. Construction, construction management, or contracting;

g. Business consulting or brokerage;

h. Any business engaged primarily as a passive business, having irregular or non-continuous operations, or deriving substantially all of the income of the business from passive investments that generate interest, dividends, royalties, or capital gains, or any business arrangements the effect of which is to immunize an investor from risk of loss;

i. Any activity that is in violation of the law;

j. Any business raising money primarily to purchase real estate, land, or fixtures; and

k. Any gambling-related business;

(f) The business has a reasonable chance of success;

(g) The business has the reasonable potential to create measurable employment within the region, this state, or both;

(h) The business is based on an innovative technology, product, or service designed to be used in the commercial marketplace;

(i) The existing owners of the business and other founders have made or are committed to make a substantial financial or time commitment to the business;

(j) The securities to be issued and purchased are qualified securities;

(k) The business has the reasonable potential to address the needs and opportunities specific to the region, this state, or both;

(l) The business has made binding commitments to the MTC for adequate reporting of financial data, including a requirement for an annual report, or, if required, an annual audit of the financial and operational records of the business, the right of access to the financial records of the business, the right of the department and the MTC to record and publish normal and customary data and information related to the issuance of tax credits that are not otherwise determined to be trade or business secrets, and other such protections as may be in the best interest of taxpayers to achieve the goals of this section and section 348.274; and

(m) The business shall satisfy all other requirements of this section and section 348.274.

(4) A qualified Missouri business shall have the burden of proof to demonstrate the qualifications of the business under this section.

**348.274. 1. (1)** The MTC is authorized to allocate tax credits to qualified Missouri businesses, and the department is authorized to issue tax credits to qualified investors in such qualified Missouri businesses. Such tax credits shall be allocated to those qualified Missouri businesses which, as determined by the MTC, are most likely to provide the greatest economic benefit to the region, the state, or both. The MTC may allocate, and the department may issue, whole or partial tax credits in accordance with the report issued to the director of the department based on the MTC's assessment of the qualified Missouri businesses. The MTC may consider numerous factors in such assessment including, but not limited to, the quality and experience of the management team, the size of the estimated market opportunity, the risk from current or future competition, the ability to defend intellectual property, the quality and utility of the business model, and the quality and reasonableness of financial projections for the business.

(2) Each qualified Missouri business, for which the MTC has allocated tax credits such that the department can issue tax credits to the qualified investors of such qualified Missouri business, shall submit to the MTC a report before such tax credits are issued. Such report shall include the following:

(a) The name, address, and taxpayer identification number of each investor who has made cash investment in the qualified securities of the qualified Missouri business;

(b) Proof of such investment, including copies of the securities' purchase agreements and cancelled checks or wire transfer receipts; and

(c) Any additional information as may reasonably be required under this section and section 348.273.

**2. (1)** The state of Missouri shall not be held liable for any damages to any investor that makes an investment in a qualified security of a qualified Missouri business, any business that applies to be designated as a qualified Missouri business and is turned down, or any investor that makes an investment in a business that applies to be designated as a qualified Missouri business and is turned down.

(2) Each qualified Missouri business shall have the obligation to notify the MTC, which shall notify the director of the department, of any changes in the qualifications of the business or in the eligibility of investors to claim a tax credit for cash investments in a qualified security.



(3) The director of the department, in cooperation with the MTC, shall provide the information specified in subdivision (3) of subsection 4 of this section to the director of the department of revenue on an annual basis. The MTC shall conduct an annual review of the activities undertaken under this section and section 348.273 to ensure that tax credits issued under this section and section 348.273 are issued in compliance with the provisions of this section and section 348.273 or rules and regulations promulgated by the MTC or the department with respect to this section and section 348.273. The reasonable costs of the annual review and other administrative work necessary or convenient to carry out the provisions of this section and section 348.273 shall be recovered by the MTC according to a reasonable fee schedule adopted by the MTC in cooperation with the department by and through its service on the MTC board of directors.

(4) If the MTC determines that a business is not in substantial compliance with the requirements of this section and section 348.273 to maintain its designation, the department or the MTC, by written notice, shall inform the business that such business will lose its designation as a qualified Missouri business one hundred twenty days from the date of mailing of the notice unless such business corrects the deficiencies and is once again in compliance with the requirements for designation.

(5) At the end of the one-hundred-twenty-day period, if the qualified Missouri business is still not in substantial compliance, the department or the MTC shall send a notice of loss of designation to the business, the director of the department of revenue, and to all known investors in the business.

(6) A business shall lose its designation as a qualified Missouri business under this section and section 348.273 by moving either its headquarters outside of Missouri or a substantial number of the jobs created in Missouri to a location outside Missouri, within ten years after receiving financial assistance under this section and section 348.273.

(7) In the event that a business loses its designation as a qualified Missouri business, such business shall be precluded from being issued any additional tax credits with respect to the business, shall be precluded from being approved as a qualified Missouri business, and shall be subject to an appropriate clawback provision that the MTC, in cooperation with department by and through its service on the MTC board of directors, provides for in connection with the administration of this section and section 348.273.

(8) Investors in a qualified Missouri business shall be entitled to keep all of the tax credits properly issued to such investors under this section and section 348.273.

(9) The portions of documents and other materials submitted to the department or the MTC that contain confidential information shall be kept confidential and shall be maintained in a secured environment. For the purposes of this section and section 348.273, confidential information may include, but not be limited to, any document or other material containing a formula, compound, production data, or compilation of information that will allow certain individuals within a commercial concern using such portions of documents and other material the means to fabricate, produce, or compound an article of trade, or perform any service having commercial value which gives the user an opportunity to obtain a business advantage over competitors who do not know or use such service.

(10) The department and the MTC may prepare and adopt procedures, rules, and published guidance concerning the performance of the duties placed upon each respective entity by this section and section 348.273.

**3. Any qualified investor who makes a cash investment in a qualified security of a qualified Missouri business may transfer the tax credits such qualified investor may receive under subsection 4 of section 348.273 to any natural person. Such transferee may claim the tax credit against the transferee's Missouri income tax liability as provided in subdivision (1) of subsection 4 of section 348.273, subject to all restrictions and limitations set forth in this section and section 348.273. Only the full credit for any one investment shall be transferred and this interest shall only be transferred one time. Documentation of any tax credit transfer under this section shall be provided by the qualified investor in the manner established by the MTC and the department, by and through its service on the MTC board of directors.**

**4. (1) Each qualified Missouri business for which tax credits have been issued under this section and section 348.273 shall report to the MTC on an annual basis, on or before February first. The MTC shall provide copies of the reports to the department under appropriate confidentiality agreements as may be necessary under the circumstances. Such reports shall include the following:**

**(a) The name, address, and taxpayer identification number of each investor who has made a cash investment in the qualified securities of the qualified Missouri business and has received tax credits for this investment during the preceding year;**

**(b) The amounts of cash investments by each investor and a description of the qualified securities issued in consideration of such cash investments; and**

**(c) Any additional information reasonably required under this section and section 378.273.**

**(2) The MTC shall report quarterly to the director of the department on the allocation of the tax credits in the preceding calendar quarter. Such reports shall include:**

**(a) The amount of applications received;**

**(b) The number and ratio of successful applications to unsuccessful applications;**

**(c) The amount of tax credits allocated but not issued in the previous quarter, including what percentage was allocated to individuals and what percentage was allocated to investment firms; and**

**(d) Such other information as reasonably agreed upon from time to time.**

**(3) The MTC and the department, as applicable, shall also report annually to the governor, the president pro tempore of the senate, and the speaker of the house of representatives, on or before April first, on the allocation and issuance of the tax credits. Such reports shall include:**

**(a) The amount of tax credits issued in the previous fiscal year, including what percentage was issued to individuals and what percentage was issued to investment firms;**

**(b) The types of businesses that benefitted from the tax credits;**

**(c) The amount of allocated but unissued tax credits and the information about the unissued tax credits set forth in subdivision (2) of this subsection;**

**(d) Any aggregate job creation or capital investment in the region that resulted from the use of the tax credits for a period of five years beginning from the date on which the tax credits were awarded;**

(e) The manner in which the purpose of this section and section 348.273 has been carried out with regard to a region;

(f) The total cash investments made for the purchase of qualified securities of qualified Missouri businesses within each region during the preceding year and cumulatively since the effective date of this section and section 348.273;

(g) An estimate of jobs created and jobs preserved by cash investments made in qualified Missouri businesses within each region;

(h) An estimate of the multiplier effect on the economy of each region of the cash investments made under this section and section 348.273;

(i) Information regarding what businesses deriving benefits from the tax credits remained in the region, what businesses ceased business, what businesses were purchased, and what businesses may have moved out of a region or the state.

(4) Any violation of the reporting requirements of this subsection by a qualified Missouri business may be grounds for the loss of designation of such qualified Missouri business, and any such business that loses its designation as a qualified Missouri business shall be subject to the restrictions upon loss of designation set forth in subsection 2 of this section.

5. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section and section 348.273 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.

6. Notwithstanding the provisions of section 23.253, this section and 348.273 shall expire on December 31, 2024.”; and

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted.

Senator Brown raised the point of order that **SA 1** is out of order in that it goes beyond the scope of the subject matter of the bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Kraus assumed the Chair.

At the request of Senator Brown, **SB 814** was placed on the Informal Calendar.

Senator Lamping requested unanimous consent of the Senate to correct the report from the Committee on Seniors, Families and Pensions made March 6, 2014, by submitting the correct Senate Committee Substitute for **SB 712**, which request was granted.

Senator Brown moved that **SB 859** be taken up for perfection, which motion prevailed.

On motion of Senator Brown, **SB 859** was declared perfected and ordered printed.

## **BILLS DELIVERED TO THE GOVERNOR**

**SS** for **SB 668**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

## **HOUSE BILLS ON SECOND READING**

The following Bill was read the 2nd time and referred to the Committee indicated:

**HB 2014**—Appropriations.

## **REFERRALS**

President Pro Tem Dempsey referred **SCS** for **SB 612** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey referred **HCR 5**; **HCR 11**; and **HCS** for **HCR 20** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

## **RESOLUTIONS**

Senator Lamping offered Senate Resolution No. 1577, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Arthur James Smith, St. Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 1578, regarding Orlin Hoyd Clark, Jr., Overland, which was adopted.

Senator Lager offered Senate Resolution No. 1579, regarding Dalton Tipton, which was adopted.

Senator Lager offered Senate Resolution No. 1580, regarding Chase Thomas, which was adopted.

Senator Lager offered Senate Resolution No. 1581, regarding Luke Sachs, which was adopted.

On motion of Senator Richard, the Senate recessed until 4:00 p.m.

## **RECESS**

The time of recess having expired, the Senate was called to order by Senator Pearce.

## **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 672**; **SB 773**; and **SB 859**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

## **SENATE BILLS FOR PERFECTION**

Senator Richard moved that **SB 718** be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Walsh offered **SA 1**:

## SENATE AMENDMENT NO. 1

Amend Senate Bill 718, Page 1, Section 290.230, Line 11 by inserting immediately after all of said line the following:

**“For the purposes of this section, the term “workman who agrees in writing to volunteer his or her labor without pay” shall mean a workman who volunteers his or her labor without any promise of benefit or remuneration for such voluntary activity, and who is not a prisoner in any jail or prison facility and who is not performing community service pursuant to disposition of a criminal case against him, and is not otherwise employed for compensation at any time in the construction or maintenance work on the same public works for which the workman is a volunteer. Under no circumstances may an employer force, compel or otherwise intimidate an employee into performing work otherwise paid by a prevailing wage as a volunteer.”**

Senator Walsh moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Richard, **SB 718**, as amended, was declared perfected and ordered printed.

Senator Justus moved that **SB 491**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 491**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 491

An Act to repeal sections 32.057, 50.535, 57.100, 105.478, 115.631, 142.909, 142.911, 143.1001, 143.1003, 149.200, 168.071, 188.030, 190.621, 191.905, 191.914, 193.315, 194.410, 194.425, 195.005, 195.010, 195.015, 195.016, 195.017, 195.025, 195.030, 195.040, 195.050, 195.060, 195.080, 195.100, 195.110, 195.130, 195.135, 195.140, 195.150, 195.180, 195.190, 195.195, 195.198, 195.202, 195.204, 195.211, 195.212, 195.213, 195.214, 195.217, 195.218, 195.219, 195.222, 195.223, 195.226, 195.233, 195.235, 195.241, 195.242, 195.246, 195.248, 195.252, 195.254, 195.256, 195.275, 195.280, 195.285, 195.291, 195.292, 195.295, 195.296, 195.367, 195.369, 195.371, 195.375, 195.417, 195.418, 195.420, 195.501, 195.503, 195.505, 195.507, 195.509, 195.511, 195.515, 196.979, 197.266, 197.326, 198.015, 198.070, 198.097, 198.158, 205.965, 210.117, 210.165, 211.038, 214.410, 217.360, 217.364, 217.385, 217.400, 217.405, 217.541, 217.542, 217.543, 217.692, 217.703, 217.735, 217.785, 221.025, 221.111, 221.353, 252.235, 253.080, 260.207, 260.208, 260.211, 260.212, 270.260, 276.421, 276.536, 277.180, 285.306, 285.308, 287.128, 287.129, 288.250, 288.395, 301.390, 301.400, 301.401, 301.559, 301.570, 301.640, 302.015, 302.020, 302.309, 302.321, 302.500, 302.540, 302.541, 302.605, 302.700, 302.705, 302.710, 302.727, 302.745, 302.750, 302.755, 302.780, 303.024, 303.025, 304.070, 306.110, 306.111, 306.112, 306.114, 306.116, 306.117, 306.118, 306.119, 306.141, 306.420, 311.325, 313.004, 313.040, 313.290, 313.550, 313.660, 313.830, 317.018, 320.089, 320.161, 324.1142, 324.1148, 334.250, 335.096, 338.195, 338.315, 338.370, 354.320, 362.170, 367.031, 367.045, 374.210, 374.216, 374.702, 374.757, 374.789, 375.310, 375.537, 375.720, 375.786, 375.991, 375.1176, 375.1287, 380.391, 382.275, 389.653, 407.020, 407.095, 407.420, 407.436, 407.516, 407.521, 407.536, 407.544, 407.740, 407.1082, 407.1252, 411.260, 411.287, 411.371, 411.517, 411.770, 413.229, 429.012, 429.013, 429.014, 436.485, 443.810, 443.819, 453.110, 455.085, 455.538, 542.402, 544.665, 556.011, 556.016, 556.021, 556.022, 556.026, 556.036, 556.041, 556.046, 556.051, 556.056, 556.061, 556.063, 557.016, 557.021, 557.026, 557.031,

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 578.173, 578.176, 578.200, 578.205, 578.210, 578.215, 578.220, 578.225, 578.250, 578.255, 578.260,  
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578.363, 578.365, 578.375, 578.377, 578.379, 578.381, 578.383, 578.385, 578.387, 578.389, 578.390, 578.392, 578.405, 578.407, 578.409, 578.412, 578.414, 578.416, 578.418, 578.420, 578.421, 578.425, 578.430, 578.433, 578.437, 578.445, 578.450, 578.501, 578.502, 578.503, 578.510, 578.520, 578.525, 578.530, 578.570, 578.614, 589.425, 610.125, 630.155, 630.165, 660.250, 660.255, 660.260, 660.261, 660.263, 660.265, 660.270, 660.275, 660.280, 660.285, 660.290, 660.295, 660.300, 660.305, 660.310, 660.315, 660.317, 660.320, 660.321, and 701.320, RSMo, section 130.028 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.028 as enacted by conference committee substitute for house committee substitute for senate bill no. 650, eighty-ninth general assembly, second regular session, section 130.031 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 302.060 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session, section 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402 merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, section 302.304 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session, section 302.304 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, section 476.055 as enacted by senate committee substitute for house bill no. 1460 merged with conference committee substitute for house committee substitute for senate bill no. 628, ninety-sixth general assembly, second regular session, section 476.055 as enacted by conference committee substitute for house committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, section 577.041 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session, and section 577.041 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill nos. 1695, 1742 & 1672, ninety-fifth general assembly, second regular session, and to enact in lieu thereof seven hundred sixteen new sections for the sole purpose of restructuring the Missouri criminal code, with penalty provisions and an effective date.

Was taken up.

Senator Justus moved that **SCS** for **SB 491** be adopted.

Senator Nieves assumed the Chair.

Senator Kehoe assumed the Chair.

At the request of Senator Justus, **SB 491**, with **SCS** (pending), was placed on the Informal Calendar.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 699**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the

provisions of Senate Rule 45.

### **REFERRALS**

President Pro Tem Dempsey referred **SB 859** to the Committee on Governmental Accountability and Fiscal Oversight.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1307** and **1313**, entitled:

An Act to repeal sections 188.027 and 188.039, RSMo, and to enact in lieu thereof two new sections relating to the required waiting period before having an abortion.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1192**, entitled:

An Act to repeal section 188.028, RSMo, and to enact in lieu thereof two new sections relating to abortion.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **RESOLUTIONS**

Senator Kraus offered Senate Resolution No. 1582, regarding the 2013-2014 state champion Lee's Summit West High School dance program, which was adopted.

Senator Cunningham offered Senate Resolution No. 1583, regarding Joseph Reyes, Pottersville, which was adopted.

Senator Keaveny offered Senate Resolution No. 1584, regarding Melvin Dorsey, Saint Louis, which was adopted.

Senator Sater offered Senate Resolution No. 1585, regarding Tony Wormington, which was adopted.

Senator Sater offered Senate Resolution No. 1586, regarding the Sixty-eighth Wedding Anniversary of Mr. and Mrs. John L. Berning, Exeter, which was adopted.

Senator Sater offered Senate Resolution No. 1587, regarding the One Hundredth Birthday of Edna Faye Thomas King, Cassville, which was adopted.

Senator Justus offered Senate Resolution No. 1588, regarding the Ninetieth Birthday of Ed Browne, Kansas City, which was adopted.

Senator Walsh offered Senate Resolution No. 1589, regarding Calvin Hardy Carter, Hazelwood, which



was adopted.

Senator Sater offered Senate Resolution No. 1590, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Thomas Martens, Kimberling City, which was adopted.

Senator Sater offered Senate Resolution No. 1591, regarding Chase Brennan, which was adopted.

Senator Sater offered Senate Resolution No. 1592, regarding Zach Kearney, which was adopted.

Senator Sater offered Senate Resolution No. 1593, regarding Judy Randall, Washburn, which was adopted.

Senator Sater offered Senate Resolution No. 1594, regarding Mary Jane Flynn, Cassville, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Emery introduced to the Senate, Steve Cheslik, Cass County; and members of Missouri Treasurers Association.

Senator Brown introduced to the Senate, Stephen Leitman and students from Linn State Technical College.

Senator Libla introduced to the Senate, parents Susan Brandon, April Davis, Nicole Howell and Amy Stricklin, and fourth grade students Tyler Brandon, Carlee Davis, Skylar Howell, Macy Middleton and Alex Stricklin, Caruthersville Elementary School; and Tyler, Carlee, Skylar, Macy and Alex were made honorary pages.

On behalf of Senator Libla and himself, Senator Dempsey introduced to the Senate, Clayton Wehmeyer, St. Charles; Terry Grisso, Charleston; and members of Phi Theta Kappa Honor Society, Linn State Technical College.

Senator LeVota introduced to the Senate, Lisa Ginter, Blue Springs; and representatives of Missouri Credit Union Association.

On behalf of Senator Richard and himself, Senator Nieves introduced to the Senate, the Physician of the Day, David Hargroder, M.D., Joplin.

Senator Kehoe introduced to the Senate, Holly Knaebel, Jefferson City; and Melissa Thoenen, Linn.

Senator Pearce introduced to the Senate, Troi Hackett, Kingsville; and Samantha Adkins and Jeanetta Snyder, Chilhowee.

Senator Holsman introduced to the Senate, his wife, Robyn, and their daughter, Savannah; Ellen Pittman, Jeanne Jewell, Cathy Jolly, Beverly Cunningham, and fifty fourth grade students from Red Bridge Elementary, Kansas City; and Savannah was made an honorary page.

On behalf of Senator Kehoe, the President introduced to the Senate, Coach Tim Karsten and Class One State Champion Blair Oaks High School Wrestling team members: Ben Campbell, Logan Mudd, Brad Thomas, Cole Kemna, Corbin Singer, John Karsten, Alex Gaydos, Logan Gaydos and Frankie Falotico.

Senator LeVota introduced to the Senate, Rich Schier and Pat Yokley, Kansas City.

Senator Kehoe introduced to the Senate, teachers Jessica Baumhoer, Stephanie Plassmeyer and fourth grade students from St. Francis Xavier School.

Senator Schaefer introduced to the Senate, Dean James Thompson and engineering students from University of Missouri-Columbia.

Senator Sifton introduced to the Senate, Coro Fellows, St. Louis.

Senator Brown introduced to the Senate, Midshipman 3/C Cameron T. Smith, Rolla; and Midshipman 3/C Wyatt Horner, Wyoming.

Senator Walsh introduced to the Senate, Liz Gibbons, Kirkwood; and students Travion and Davion Howard, Spanish Lake.

Senator Justus introduced to the Senate, Luciana Bardwell, Kansas City.

On motion of Senator Richard, the Senate adjourned under the rules.

## SENATE CALENDAR

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THIRTY-FIFTH DAY—WEDNESDAY, MARCH 12, 2014

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## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 911-Libla	SB 929-Lamping
SB 912-Wasson	SB 930-Lamping
SB 913-Wasson and Cunningham	SB 931-Nieves
SB 914-Munzlinger	SB 932-Nieves
SB 915-Dixon	SB 933-Nieves
SB 916-Wallingford	SB 934-Schaaf
SB 917-Richard	SB 935-Holsman
SB 918-Holsman	SB 936-Schaefer
SB 919-Justus	SB 937-Schaefer
SB 920-Munzlinger	SB 938-Pearce
SB 921-Schaaf	SB 939-Curls
SB 922-Schaaf	SB 940-Curls
SB 923-Emery	SB 941-Curls, et al
SB 924-Emery	SB 942-Sater
SB 925-Emery	SB 943-Justus
SB 926-Sater	SB 944-Brown, et al
SB 927-Lamping	SB 945-Brown, et al
SB 928-Lamping	SB 946-Dixon

SB 947-Dixon	SB 976-Emery
SB 948-Wallingford	SB 977-Schmitt
SB 949-Munzlinger	SB 978-Schmitt
SB 950-Holsman	SB 979-Schaefer
SB 951-Holsman	SB 980-Schaefer
SB 952-Dixon	SB 981-Schaefer
SB 953-Nasheed	SB 982-Schaefer
SB 954-Cunningham	SB 983-Pearce
SB 955-Cunningham	SB 984-Sifton
SB 956-Schaaf	SB 985-Sifton
SB 957-Holsman	SB 986-Sifton
SB 958-Nieves	SB 987-Lamping
SB 959-Curls	SB 988-Lamping
SB 960-Munzlinger	SB 989-Lamping
SB 961-Nasheed	SB 990-Lamping
SB 962-Justus	SB 991-Kraus
SB 963-Justus	SB 992-Dempsey
SB 964-Lager	SB 993-Dempsey
SB 965-Lager	SB 994-Dixon
SB 966-Lager	SB 995-Sifton
SB 967-Lager	SJR 49-Cunningham
SB 968-Lager	SJR 50-Lamping
SB 969-Kehoe	SJR 51-Lamping
SB 970-Kehoe	SJR 52-Lamping
SB 971-Kehoe	SJR 53-Lamping
SB 972-Kehoe	SJR 54-Lamping
SB 973-Brown	SJR 55-Nieves
SB 974-Rupp	SJR 56-Dixon
SB 975-Emery	SJR 57-Lager

#### HOUSE BILLS ON SECOND READING

HB 1430-Jones (110), et al	HCS for HB 1295
HCS for HB 1058	HCS for HB 1510
HB 1133-Engler, et al	HCS for HB 1044
HCS for HB 1051	HB 1081-McCaherty, et al
HJR 48-Solon, et al	HCS for HB 1085
HJR 72-Richardson, et al	HB 1126-Dugger and Entlicher
HCS for HB 1412	HB 1197-Elmer
HCS for HBs 1253 & 1297	HB 1206-Wilson

HCS for HB 1217  
HB 1270-Lant, et al  
HB 1301-Neth  
HB 1468-Dohrman, et al  
HB 1616-Muntzel, et al  
HCS for HB 1079  
HB 1087-Crawford and Franklin  
HB 1141-Love, et al  
HCS for HB 1201  
HB 1222-Dugger  
HB 1238-Hinson  
HB 1361-Gosen and Wieland  
HCS for HB 1376  
HCS for HB 1523  
HB 1268-Curtman, et al  
HB 1092-Lant, et al  
HCS for HJR 47  
HB 1073-Dugger, et al

HB 1110-Rowland  
HB 1359-Flanigan  
HCS for HBs 1646 & 1515  
HCS for HB 1296  
HB 1496-Reiboldt, et al  
HB 1173-Burlison, et al  
HCS for HB 1426  
HCS for HRB 1298  
HCS for HRB 1299  
HCS for HB 1501  
HCS for HBs 1310 & 1236  
HCS for HB 1261  
HB 1495-Torpey and Hicks  
HB 1435-Johnson  
HCS for HB 1459  
HCS for HBs 1307 & 1313  
HCS for HB 1192

### THIRD READING OF SENATE BILLS

- |   |  |
|---|--|
| 1. SS for SCS for SB 666-Schmitt<br>(In Fiscal Oversight) | 6. SB 523-Emery                        |
| 2. SS for SCS for SB 510-Kraus                            | 7. SB 667-Schmitt                      |
| 3. SB 615-Dixon   | 8. SB 689-Schmitt, et al               |
| 4. SCS for SB 612-Schaaf<br>(In Fiscal Oversight)         | 9. SS for SB 691-Wasson                |
| 5. SCS for SB 524-Cunningham                              | 10. SCS for SB 672-Parson              |
|   | 11. SB 773-Rupp                        |
|   | 12. SB 859-Brown (In Fiscal Oversight) |

### SENATE BILLS FOR PERFECTION

- |                                 |                                      |
|---------------------------------|--------------------------------------|
| 1. SB 593-Sater, with SCS       | 9. SB 734-Cunningham                 |
| 2. SB 623-Nieves, with SCS      | 10. SB 693-Parson                    |
| 3. SB 790-Dixon                 | 11. SB 662-Kraus                     |
| 4. SB 745-Munzlinger            | 12. SB 607-Dixon                     |
| 5. SB 501-Keaveny               | 13. SB 727-Chappelle-Nadal           |
| 6. SJR 34-Emery                 | 14. SB 716-Brown, with SCS           |
| 7. SB 673-Kehoe and Wallingford | 15. SB 696-Schaefer                  |
| 8. SRB 714-Lager, with SCS      | 16. SB 564-Chappelle-Nadal, with SCS |

17. SB 660-Wallingford

18. SB 675-Kehoe, with SCS

19. SB 712-Walsh, with SCS

20. SB 720-Justus, with SCS

## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

SB 491-Justus and Dixon, with SCS (pending)

SBs 509 &amp; 496-Kraus, with SCS,

SS#2 for SCS &amp; SA 1 (pending)

SB 518-Sater, with SCS, SA 2 &amp;

SA 1 to SA 2 (pending)

SB 519-Sater, with SS &amp; SA 1 (pending)

SS for SB 543-Munzlinger

SB 573-Munzlinger, with SCS

SB 575-Dixon

SB 589-Brown, with SCS, SA 2 &amp;

SA 1 to SA 2 (pending)

SB 663-Munzlinger, with SCS

SB 723-Parson, with SCS &amp; SA 1 (pending)

SB 731-Nasheed, with SCS &amp; SA 3 (pending)

SB 814-Brown

SJR 25-Lager

SJR 42-Schmitt

## CONSENT CALENDAR

## Senate Bills

## Reported 3/6

SB 701-Lager

SB 631-Wallingford

SB 766-Keaveny

SB 796-Parson

## RESOLUTIONS

## Reported from Committee

SCR 31-Parson

SCR 32-Schaaf

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# Journal of the Senate

## SECOND REGULAR SESSION

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**THIRTY-FIFTH DAY—WEDNESDAY, MARCH 12, 2014**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“To you I lift up my eyes, O you who are enthroned in the heavens.” (Psalm 123:1)

Merciful Lord, the gift of Your salvation brings light to scatter the darkness of our world. Continue to shine in our lives so that the challenges we face may seem easier because of Your presence and guidance. May Your great power and love inspire us to praise You always and our lips always honor You and our actions serve Your good purposes for others. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

**Present—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—32

**Absent—Senators—None**

**Absent with leave—Senator Wasson—1**

**Vacancies—1**

The Lieutenant Governor was present.

## **RESOLUTIONS**

Senator Chappelle-Nadal offered Senate Resolution No. 1595, regarding Norman Rossin, Saint Louis, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1596, regarding Tiffany Henton, which was adopted.

Senator Nieves offered Senate Resolution No. 1597, regarding John Sydnor, Chesterfield, which was adopted.

Senator Nieves offered Senate Resolution No. 1598, regarding Daniel Liddy, Wildwood, which was adopted.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 718**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

### **SENATE BILLS FOR PERFECTION**

Senator Justus moved that **SB 491**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Rupp assumed the Chair.

Senator Pearce assumed the Chair.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

Senator Kraus assumed the Chair.

At the request of Senator Justus, **SB 491**, with **SCS** (pending), was placed on the Informal Calendar.

On motion of Senator Richard, the Senate recessed until 4:00 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Pearce.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1271**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to fees for optometric and ophthalmic services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1483**, entitled:

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof one new section relating to MO HealthNet reimbursement for behavior assessment and intervention, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1086**, entitled:

An Act to repeal section 407.725, RSMo, and to enact in lieu thereof one new section relating to real estate repair contractors.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1390**, entitled:

An Act to repeal sections 163.191, 173.1006, and 178.638, RSMo, and to enact in lieu thereof four new sections relating to allocation of core-funding increases in state funding for public institutions of higher education.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 1710**, entitled:

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to refund donations to the Missouri national guard foundation fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,



Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCR 19**.

Senator Romine assumed the Chair.

### **SENATE BILLS FOR PERFECTION**

Senator Justus moved that **SB 491**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Justus, **SB 491**, with **SCS** (pending), was placed on the Informal Calendar.

President Pro Tem Dempsey assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **HB 2014**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

### **RESOLUTIONS**

Senators LeVota and Kraus offered Senate Resolution No. 1599, regarding Jim Neighbors, Lee's Summit, which was adopted.

Senator LeVota offered Senate Resolution No. 1600, regarding Daniel Gilbert, Lee's Summit, which was adopted.

Senator LeVota offered Senate Resolution No. 1601, regarding Anthony Deffenbaugh, Blue Springs, which was adopted.

Senator LeVota offered Senate Resolution No. 1602, regarding Jack Knipp, Independence, which was adopted.

Senator Kehoe offered Senate Resolution No. 1603, regarding Dale A. Schmidt, Jefferson City, which was adopted.

Senator Brown offered Senate Resolution No. 1604, regarding Charleen Perschbacher, which was adopted.

Senator Lager offered Senate Resolution No. 1605, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bob Wood, Unionville, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Pearce introduced to the Senate, Barry R. Randolph, Marshall.

Senator Keaveny introduced to the Senate, Coro Fellow Marcus Brown, St. Louis.

On behalf of Senator Rupp and himself, Senator Schmitt introduced to the Senate, Anita Foelsch, St.

Charles; and Madison Seiders, O’Fallon.

Senator Justus introduced to the Senate, Coro Fellow DeAnna Tipton, St. Louis.

Senator Rupp introduced to the Senate, Michelle, Bailey and Shelby Rhoades, St. Charles.

Senator Lager introduced to the Senate, Coro Fellow Catherine Gilbert, St. Louis.

Senator Dempsey introduced to the Senate, Coro Fellow Sarah Lewis.

Senator Kraus introduced to the Senate, Coro Fellow Ted Delicath.

Senator Chappelle-Nadal introduced to the Senate, Coro Fellow Tiffany Henton.

Senator Wallingford introduced to the Senate, Circuit Clerk Christy Hency and her daughter, Traci, Oran; and Traci was made an honorary page.

Senator Libla introduced to the Senate, Gordon, Sheila, Bethany and Samantha Hahn, Advance; and Liz Montgomery.

Senator Schmitt introduced to the Senate, teachers Marilyn Woodard, Amanda Kempter, Jane Fairbanks, Tracy Ziemba, and fourth grade students from North Glendale Elementary.

Senator Romine introduced to the Senate, Linda Huck, Farmington.

Senator Munzlinger introduced to the Senate, Elaine Carty, and thirty-one students and sponsors from Bowling Green Middle School.

Senator Curls introduced to the Senate, Coro Fellow Cassandra Mele, Los Angeles, California.

On behalf of Senator Pearce, the President introduced to the Senate, Circuit Clerk Deana Aversman, Lafayette County; and circuit clerks from around the state.

Senator Holsman introduced to the Senate, Lali Garcia, former State Representative Paul Rojas and Chris Medina, Kansas City; and representatives of Hispanic Day.

Senator Chappelle-Nadal introduced to the Senate, Feliz Tovar, St. Louis.

Senator Munzlinger introduced to the Senate, 2014 Youth EXCEL Leadership Development Program members: Paige Arment, Becca Burkhart, Travis Gittemeier, Madeline Hager, Blake Joiner, Zach Koenig, Rick Morris, Spencer Nuhn, Elizabeth Tustison, Abby Kertz and Kim Korff, Randolph County.

On behalf of Senator Lamping and himself, Senator Schmitt introduced to the Senate, representatives of Parents as Teachers from around the state.

On behalf of Senator Romine and himself, Senator Keaveny introduced to the Senate, Stephanie Littlefield, University City; and Stephen Littlefield, Potosi.

On motion of Senator Richard, the Senate adjourned under the rules.

## SENATE CALENDAR

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THIRTY-SIXTH DAY—THURSDAY, MARCH 13, 2014

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## FORMAL CALENDAR

## SECOND READING OF SENATE BILLS

SB 911-Libla	SB 941-Curls, et al
SB 912-Wasson	SB 942-Sater
SB 913-Wasson and Cunningham	SB 943-Justus
SB 914-Munzlinger	SB 944-Brown, et al
SB 915-Dixon	SB 945-Brown, et al
SB 916-Wallingford	SB 946-Dixon
SB 917-Richard	SB 947-Dixon
SB 918-Holsman	SB 948-Wallingford
SB 919-Justus	SB 949-Munzlinger
SB 920-Munzlinger	SB 950-Holsman
SB 921-Schaaf	SB 951-Holsman
SB 922-Schaaf	SB 952-Dixon
SB 923-Emery	SB 953-Nasheed
SB 924-Emery	SB 954-Cunningham
SB 925-Emery	SB 955-Cunningham
SB 926-Sater	SB 956-Schaaf
SB 927-Lamping	SB 957-Holsman
SB 928-Lamping	SB 958-Nieves
SB 929-Lamping	SB 959-Curls
SB 930-Lamping	SB 960-Munzlinger
SB 931-Nieves	SB 961-Nasheed
SB 932-Nieves	SB 962-Justus
SB 933-Nieves	SB 963-Justus
SB 934-Schaaf	SB 964-Lager
SB 935-Holsman	SB 965-Lager
SB 936-Schaefer	SB 966-Lager
SB 937-Schaefer	SB 967-Lager
SB 938-Pearce	SB 968-Lager
SB 939-Curls	SB 969-Kehoe
SB 940-Curls	SB 970-Kehoe

SB 971-Kehoe  
SB 972-Kehoe  
SB 973-Brown  
SB 974-Rupp  
SB 975-Emery  
SB 976-Emery  
SB 977-Schmitt  
SB 978-Schmitt  
SB 979-Schaefer  
SB 980-Schaefer  
SB 981-Schaefer  
SB 982-Schaefer  
SB 983-Pearce  
SB 984-Sifton  
SB 985-Sifton  
SB 986-Sifton  
SB 987-Lamping

SB 988-Lamping  
SB 989-Lamping  
SB 990-Lamping  
SB 991-Kraus  
SB 992-Dempsey  
SB 993-Dempsey  
SB 994-Dixon  
SB 995-Sifton  
SJR 49-Cunningham  
SJR 50-Lamping  
SJR 51-Lamping  
SJR 52-Lamping  
SJR 53-Lamping  
SJR 54-Lamping  
SJR 55-Nieves  
SJR 56-Dixon  
SJR 57-Lager

#### HOUSE BILLS ON SECOND READING

HB 1430-Jones (110), et al  
HCS for HB 1058  
HB 1133-Engler, et al  
HCS for HB 1051  
HJR 48-Solon, et al  
HJR 72-Richardson, et al  
HCS for HB 1412  
HCS for HBs 1253 & 1297  
HCS for HB 1295  
HCS for HB 1510  
HCS for HB 1044  
HB 1081-McCaherty, et al  
HCS for HB 1085  
HB 1126-Dugger and Entlicher  
HB 1197-Elmer  
HB 1206-Wilson  
HCS for HB 1217  
HB 1270-Lant, et al  
HB 1301-Neth  
HB 1468-Dohrman, et al

HB 1616-Muntzel, et al  
HCS for HB 1079  
HB 1087-Crawford and Franklin  
HB 1141-Love, et al  
HCS for HB 1201  
HB 1222-Dugger  
HB 1238-Hinson  
HB 1361-Gosen and Wieland  
HCS for HB 1376  
HCS for HB 1523  
HB 1268-Curtman, et al  
HB 1092-Lant, et al  
HCS for HJR 47  
HB 1073-Dugger, et al  
HB 1110-Rowland  
HB 1359-Flanigan  
HCS for HBs 1646 & 1515  
HCS for HB 1296  
HB 1496-Reiboldt, et al  
HB 1173-Burlison, et al

HCS for HB 1426  
 HCS for HRB 1298  
 HCS for HRB 1299  
 HCS for HB 1501  
 HCS for HBs 1310 & 1236  
 HCS for HB 1261  
 HB 1495-Torpey and Hicks  
 HB 1435-Johnson

HCS for HB 1459  
 HCS for HBs 1307 & 1313  
 HCS for HB 1192  
 HB 1271-Molendorp, et al  
 HB 1483-Molendorp  
 HB 1086-Gosen  
 HB 1390-Thomson, et al  
 HCS for HB 1710

### THIRD READING OF SENATE BILLS

- |   |  |
|---|--|
| 1. SS for SCS for SB 666-Schmitt<br>(In Fiscal Oversight) | 7. SB 667-Schmitt                      |
| 2. SS for SCS for SB 510-Kraus                            | 8. SB 689-Schmitt, et al               |
| 3. SB 615-Dixon   | 9. SS for SB 691-Wasson                |
| 4. SCS for SB 612-Schaaf<br>(In Fiscal Oversight)         | 10. SCS for SB 672-Parson              |
| 5. SCS for SB 524-Cunningham                              | 11. SB 773-Rupp                        |
| 6. SB 523-Emery   | 12. SB 859-Brown (In Fiscal Oversight) |
|   | 13. SB 718-Richard                     |

### SENATE BILLS FOR PERFECTION

- |                                 |                                      |
|---------------------------------|--------------------------------------|
| 1. SB 593-Sater, with SCS       | 11. SB 662-Kraus                     |
| 2. SB 623-Nieves, with SCS      | 12. SB 607-Dixon                     |
| 3. SB 790-Dixon                 | 13. SB 727-Chappelle-Nadal           |
| 4. SB 745-Munzlinger            | 14. SB 716-Brown, with SCS           |
| 5. SB 501-Keaveny               | 15. SB 696-Schaefer                  |
| 6. SJR 34-Emery                 | 16. SB 564-Chappelle-Nadal, with SCS |
| 7. SB 673-Kehoe and Wallingford | 17. SB 660-Wallingford               |
| 8. SRB 714-Lager, with SCS      | 18. SB 675-Kehoe, with SCS           |
| 9. SB 734-Cunningham            | 19. SB 712-Walsh, with SCS           |
| 10. SB 693-Parson               | 20. SB 720-Justus, with SCS          |

### HOUSE BILLS ON THIRD READING

HB 2014-Stream, with SCS (Schaefer)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 491-Justus and Dixon, with SCS  
(pending)

SBs 509 & 496-Kraus, with SCS, SS#2 for  
SCS & SA 1 (pending)

SB 518-Sater, with SCS, SA 2 & SA 1 to  
SA 2 (pending)

SB 519-Sater, with SS & SA 1 (pending)  
SS for SB 543-Munzlinger

SB 573-Munzlinger, with SCS

SB 575-Dixon

SB 589-Brown, with SCS, SA 2 & SA 1 to  
SA 2 (pending)

SB 663-Munzlinger, with SCS

SB 723-Parson, with SCS & SA 1 (pending)

SB 731-Nasheed, with SCS & SA 3 (pending)

SB 814-Brown

SJR 25-Lager

SJR 42-Schmitt

CONSENT CALENDAR

Senate Bills

Reported 3/6

SB 701-Lager  
SB 631-Wallingford

SB 766-Keaveny  
SB 796-Parson

RESOLUTIONS

Reported from Committee

SCR 31-Parson

SCR 32-Schaaf

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# Journal of the Senate

## SECOND REGULAR SESSION

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**THIRTY-SIXTH DAY—THURSDAY, MARCH 13, 2014**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“May he grant you your heart’s desire, and fulfill all your plans.” (Psalm 20:4)

Heavenly Father, we have come to a time to put our good works down for the moment and perhaps to do that which will relax our bodies and minds and, thereby, renew our strength and uplift our spirits and enjoy a time of re-creation. Let us use this time away to have time with those we love and reconnect with them. Let us fill our souls with Your Word and our prayers always before You. Help us use our time to prepare ourselves for the rush of activities that will await us on our return. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—32

Absent—Senators—None

Absent with leave—Senator Wasson—1

Vacancies—1

The Lieutenant Governor was present.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

**RESOLUTIONS**

Senator Nieves offered Senate Resolution No. 1606, regarding John A. Busch, Franklin, which was adopted.

Senator Richard offered Senate Resolution No. 1607, regarding Chief Petty Officer James Danner, Joplin, which was adopted.

Senator LeVota offered Senate Resolution No. 1608, regarding Donovan Chambers, Independence, which was adopted.

**REPORTS OF STANDING COMMITTEES**

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SCS** for **SB 612** and **SB 859**, begs leave to report that it has considered the same and recommends that the bills do pass.

**THIRD READING OF SENATE BILLS**

**SS** for **SCS** for **SB 510**, introduced by Senator Kraus, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 510

An Act to repeal sections 288.030 and 288.050, RSMo, and to enact in lieu thereof two new sections relating to disqualification from unemployment benefits.

Was taken up.

On motion of Senator Kraus, **SS** for **SCS** for **SB 510** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford—22		

## NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton
Walsh—9							

Absent—Senator Rupp—1

Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.



On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 615**, introduced by Senator Dixon, entitled:

An Act to repeal sections 476.056 and 488.014, RSMo, section 476.385 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session and section 476.385 as enacted by conference committee substitute for senate substitute for senate committee substitute for house bill no. 683, ninety-fifth general assembly, first regular session, and to enact in lieu thereof three new sections relating to court costs.

Was taken up.

On motion of Senator Dixon, **SB 615** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Kehoe assumed the Chair.

**SCS** for **SB 612**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 612

An Act to repeal section 143.183, RSMo, and to enact in lieu thereof one new section relating to nonresident entertainer income taxes.

Was taken up by Senator Schaaf.

On motion of Senator Schaaf, **SCS** for **SB 612** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 524**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 524

An Act to repeal section 67.150, RSMo, and to enact in lieu thereof one new section relating to benefits for elected county officials.

Was taken up by Senator Cunningham.

On motion of Senator Cunningham, **SCS** for **SB 524** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 523**, introduced by Senator Emery, entitled:

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to the use of radio frequency identification technology in school districts.

Was taken up.

On motion of Senator Emery, **SB 523** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Kehoe
Kraus	Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson
Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford—27					

NAYS—Senators

Curls	Justus	Keaveny	LeVota	Walsh—5
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Absent—Senators—None

Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Emery, title to the bill was agreed to.

Senator Emery moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 667**, introduced by Senator Schmitt, entitled:

An Act to repeal sections 105.010 and 252.002, RSMo, and to enact in lieu thereof three new sections relating to gubernatorial appointments.

Was taken up.

On motion of Senator Schmitt, **SB 667** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 689**, introduced by Senator Schmitt, et al, entitled:

An Act to repeal section 311.200, RSMo, and to enact in lieu thereof one new section relating to the sale of intoxicating liquor in the original package, with an effective date.

Was taken up.

On motion of Senator Schmitt, **SB 689** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—31	

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS** for **SB 691** was placed on the Informal Calendar.

**SCS** for **SB 672**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 672

An Act to repeal sections 1.020, 56.010, 56.060, 56.067, 56.265, 56.363, 56.430, 56.805, 56.807, 56.816, and 211.411, RSMo, and to enact in lieu thereof thirteen new sections relating to county prosecutors.

Was taken up by Senator Parson.

On motion of Senator Parson, **SCS** for **SB 672** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 773**, introduced by Senator Rupp, entitled:

An Act to repeal section 190.105, RSMo, and to enact in lieu thereof two new sections relating to emergency service providers.

Was taken up.

On motion of Senator Rupp, **SB 773** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 859**, introduced by Senator Brown, entitled:

An Act to repeal section 340.396, RSMo, and to enact in lieu thereof one new section relating to the large animal veterinary student loan program.

Was taken up.

On motion of Senator Brown, **SB 859** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 718**, introduced by Senator Richard, entitled:

An Act to repeal section 290.230, RSMo, and to enact in lieu thereof one new section relating to volunteer labor on public works projects.

Was taken up.

On motion of Senator Richard, **SB 718** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Richard, title to the bill was agreed to.

Senator Richard moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### SENATE BILLS FOR PERFECTION

Senator Nasheed moved that **SB 731**, with **SCS** and **SA 3** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 3** was again taken up.

At the request of Senator Nasheed, **SB 731**, with **SCS** and **SA 3** (pending), was placed on the Informal Calendar.

### THIRD READING OF SENATE BILLS

**SB 701**, introduced by Senator Lager, entitled:

An Act to amend chapter 168, RSMo, by adding thereto one new section relating to school superintendents.

Was called from the Consent Calendar and taken up.

On motion of Senator Lager, **SB 701** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—31	

#### NAYS—Senators—None

Absent—Senator Lamping—1

Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 631**, introduced by Senator Wallingford, entitled:

An Act to repeal section 115.135, RSMo, and to enact in lieu thereof one new section relating to military and overseas voter registration.

Was called from the Consent Calendar and taken up.

On motion of Senator Wallingford, **SB 631** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—31	

NAYS—Senators—None

Absent—Senator Lamping—1

Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 766**, introduced by Senator Keaveny, entitled:

An Act to repeal sections 400.9-102, 400.9-105, 400.9-311, 400.9-317, 400.9-326, 400.9-503, 400.9-507, 400.9-516, 400.9-607, 400.9-802, 400.9-805, 400.9-806, and 400.2A-103, RSMo, and to enact in lieu thereof thirteen new sections relating to secured transactions.

Was called from the Consent Calendar and taken up.

On motion of Senator Keaveny, **SB 766** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—31	

NAYS—Senators—None

Absent—Senator Lamping—1

Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.



Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 796**, introduced by Senator Parson, entitled:

An Act to repeal section 451.040, RSMo, and to enact in lieu thereof one new section relating to marriage licenses, with an existing penalty provision.

Was called from the Consent Calendar and taken up.

On motion of Senator Parson, **SB 796** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—31	

NAYS—Senators—None

Absent—Senator Lamping—1

Absent with leave—Senator Wasson—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HJR 56**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, and adopting one new section relating to parental rights.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1506**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to rural regional development grants.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1388**, entitled:

An Act to amend chapter 542, RSMo, by adding thereto one new section relating to location information of an electronic device, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1573**, entitled:

An Act to repeal sections 70.210, 92.077, 190.105, 190.300, 190.308, 190.400, 190.410, 190.420, 190.430, 190.440, 650.320, 650.325, 650.330, and 650.340, RSMo, and to enact in lieu thereof fourteen new sections relating to emergency communications service, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1136**, entitled:

An Act to repeal sections 115.013, 115.104, 115.121, 115.221, 115.231, 115.237, 115.251, 115.253, 115.255, 115.257, 115.261, 115.263, 115.265, 115.267, 115.269, 115.271, 115.273, 115.301, 115.305, 115.342, 115.346, 115.417, 115.420, 115.431, 115.443, 115.453, 115.475, 115.477, 115.479, 115.483, 115.485, 115.487, 115.489, 115.495, and 115.503, RSMo, and to enact in lieu thereof twenty-six new sections relating to elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1156**, entitled:

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to the money follows the person program, with an expiration date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1411**, entitled:

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to tanning facilities, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 1559**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the Missouri startup cloud program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### CONCURRENT RESOLUTIONS

Senator Parson moved that **SCR 31** be taken up for adoption, which motion prevailed.

On motion of Senator Parson, **SCR 31** was adopted by the following vote:

#### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—31	

#### NAYS—Senators—None

Absent—Senator Lamping—1

Absent with leave—Senator Wasson—1

Vacancies—1

President Pro Tem Dempsey assumed the Chair.

Senator Schaaf moved that **SCR 32** be taken up for adoption, which motion prevailed.

On motion of Senator Schaaf, **SCR 32** was adopted by the following vote:

#### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kraus	Lager	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—30		

NAYS—Senators—None

Absent—Senators

Kehoe            Lamping—2

Absent with leave—Senator Wasson—1

Vacancies—1

## REPORTS OF STANDING COMMITTEES

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 741**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 692**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 601**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 907**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 719**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 699**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 767**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 854**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Nieves, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **SB 656**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 599**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 850**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

On behalf of Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, Senator Cunningham submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 808**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 874**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 708**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 782**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 499**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SJR 27**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 490**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 674**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 644**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 680**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 829**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 584**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 777**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 739**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 553**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following reports:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SB 707**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SB 785**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SB 818**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, Senator Richard submitted the following report:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 875**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1902**, entitled:

An Act to repeal sections 115.123 and 115.755, RSMo, and to enact in lieu thereof two new sections relating to the presidential primary election date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1610**, entitled:

An Act to repeal sections 135.710 and 137.010, RSMo, and to enact in lieu thereof three new sections relating to alternative fuels.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1410**, entitled:

An Act to repeal sections 512.180, 534.060, 534.350, 534.360, 534.380, 535.030, 535.110, 535.160, 535.170, 535.200, and 535.210, RSMo, and to enact in lieu thereof eleven new sections relating to landlord tenant actions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Senator Kehoe assumed the Chair.

Senator Pearce assumed the Chair.

### **SECOND READING OF SENATE BILLS**

The following Bills were read the 2nd time and referred to the Committees indicated:

**SB 911**—Judiciary and Civil and Criminal Jurisprudence.

**SB 912**—Jobs, Economic Development and Local Government.

**SB 913**—Financial and Governmental Organizations and Elections.

**SB 914**—Commerce, Consumer Protection, Energy and the Environment.

**SB 915**—Judiciary and Civil and Criminal Jurisprudence.

**SB 916**—Judiciary and Civil and Criminal Jurisprudence.

**SB 917**—Jobs, Economic Development and Local Government.

**SB 918**—Veterans' Affairs and Health.

**SB 919**—Progress and Development.

**SB 920**—Agriculture, Food Production and Outdoor Resources.

**SB 921**—Governmental Accountability and Fiscal Oversight.

**SB 922**—Jobs, Economic Development and Local Government.

**SB 923**—Jobs, Economic Development and Local Government.

**SB 924**—Governmental Accountability and Fiscal Oversight.

**SB 925**—Rules, Joint Rules, Resolutions and Ethics.

**SB 926**—Jobs, Economic Development and Local Government.

**SB 927**—Rules, Joint Rules, Resolutions and Ethics.

**SB 928**—Rules, Joint Rules, Resolutions and Ethics.

**SB 929**—Rules, Joint Rules, Resolutions and Ethics.



**SB 930**—Financial and Governmental Organizations and Elections.

**SB 931**—Education.

**SB 932**—Education.

**SB 933**—General Laws.

**SB 934**—Small Business, Insurance and Industry.

**SB 935**—Commerce, Consumer Protection, Energy and the Environment.

**SB 936**—Jobs, Economic Development and Local Government.

**SB 937**—Veterans' Affairs and Health.

**SB 938**—Education.

**SB 939**—Jobs, Economic Development and Local Government.

**SB 940**—Transportation and Infrastructure.

**SB 941**—Education.

**SB 942**—Financial and Governmental Organizations and Elections.

**SB 943**—Seniors, Families and Pensions.

**SB 944**—Commerce, Consumer Protection, Energy and the Environment.

**SB 945**—Judiciary and Civil and Criminal Jurisprudence.

**SB 946**—Small Business, Insurance and Industry.

**SB 947**—Education.

**SB 948**—Small Business, Insurance and Industry.

**SB 949**—Transportation and Infrastructure.

**SB 950**—Jobs, Economic Development and Local Government.

#### **HOUSE BILLS ON SECOND READING**

The following Bills were read the 2nd time and referred to the Committees indicated:

**HB 1430**—Veterans' and Affairs and Health.

**HCS for HB 1058**—Ways and Means.

**HB 1133**—Governmental Accountability and Fiscal Oversight.

**HCS for HB 1051**—Judiciary and Civil and Criminal Jurisprudence.

**HJR 48**—Ways and Means.

**HJR 72**—Rules, Joint Rules, Resolutions and Ethics.

**HCS for HB 1412**—Governmental Accountability and Fiscal Oversight.

**HCS for HBs 1253 and 1297**—Ways and Means.

**HCS for HB 1295**—Ways and Means.

### **MESSAGES FROM THE HOUSE**

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1132**, entitled:

An Act to repeal sections 135.600 and 135.630, RSMo, and to enact in lieu thereof two new sections relating to tax credits for contributions to pregnancy resource centers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **INTRODUCTIONS OF GUESTS**

Senator Dixon introduced to the Senate, Reverend Don McClintock, Springfield.

Senator Emery introduced to the Senate, Paul and Lori Estes, and their children, Hailey and Gabriel, Lake Winnebago.

On behalf of Senator Cunningham and himself, Senator Libla introduced to the Senate, Brad and Brady Smith, Doniphan.

Senator Parson introduced to the Senate, teacher Ivan Ramirez, and students Parker Brown, McCade Curry, Jenniffer Tienda and Cameron Karbinas, Pettis County R-12.

Senator Lager introduced to the Senate, Mende Kemper, and children Ava and Addison; and Ava and Addison were made honorary pages.

On behalf of Senator Kehoe, the President introduced to the Senate, Superintendent Jerry Hobbs, Athletic Director Lucas Branson, Coaches Craig Miller and Alyson Bissonnette, and members of the Class I State Champions Russellville High School Boys and Girls Cross Country teams.

Senator Brown introduced to the Senate, his wife, Kathy, their granddaughter, Maya Sherrill, Principal Mr. Fridley, Abby Harrison, and fourth grade students from Mark Twain Elementary, Rolla.

On behalf of Senator Kraus and himself, Senator LeVota introduced to the Senate, fourth grade students from Sunny Pointe Elementary, Jackson County.

Senator Sifton introduced to the Senate, his mother, Barbara, Bizbee, Arizona.

Senator Parson introduced to the Senate, Principal Larry Anderson, and seventeen seventh and eighth grade students from Lutheran School Association, Cole Camp.

On motion of Senator Richard, the Senate adjourned until 4:30 p.m., Tuesday, March 18, 2014.

SENATE CALENDAR

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THIRTY-SEVENTH DAY–TUESDAY, MARCH 18, 2014

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 951-Holsman	SB 978-Schmitt
SB 952-Dixon	SB 979-Schaefer
SB 953-Nasheed	SB 980-Schaefer
SB 954-Cunningham	SB 981-Schaefer
SB 955-Cunningham	SB 982-Schaefer
SB 956-Schaaf	SB 983-Pearce
SB 957-Holsman	SB 984-Sifton
SB 958-Nieves	SB 985-Sifton
SB 959-Curls	SB 986-Sifton
SB 960-Munzlinger	SB 987-Lamping
SB 961-Nasheed	SB 988-Lamping
SB 962-Justus	SB 989-Lamping
SB 963-Justus	SB 990-Lamping
SB 964-Lager	SB 991-Kraus
SB 965-Lager	SB 992-Dempsey
SB 966-Lager	SB 993-Dempsey
SB 967-Lager	SB 994-Dixon
SB 968-Lager	SB 995-Sifton
SB 969-Kehoe	SJR 49-Cunningham
SB 970-Kehoe	SJR 50-Lamping
SB 971-Kehoe	SJR 51-Lamping
SB 972-Kehoe	SJR 52-Lamping
SB 973-Brown	SJR 53-Lamping
SB 974-Rupp	SJR 54-Lamping
SB 975-Emery	SJR 55-Nieves
SB 976-Emery	SJR 56-Dixon
SB 977-Schmitt	SJR 57-Lager

HOUSE BILLS ON SECOND READING

HCS for HB 1510

HCS for HB 1044

HB 1081-McCaherty, et al	HCS for HB 1426
HCS for HB 1085	HCS for HRB 1298
HB 1126-Dugger and Entlicher	HCS for HRB 1299
HB 1197-Elmer	HCS for HB 1501
HB 1206-Wilson	HCS for HBs 1310 & 1236
HCS for HB 1217	HCS for HB 1261
HB 1270-Lant, et al	HB 1495-Torpey and Hicks
HB 1301-Neth	HB 1435-Johnson
HB 1468-Dohrman, et al	HCS for HB 1459
HB 1616-Muntzel, et al	HCS for HBs 1307 & 1313
HCS for HB 1079	HCS for HB 1192
HB 1087-Crawford and Franklin	HB 1271-Molendorp, et al
HB 1141-Love, et al	HB 1483-Molendorp
HCS for HB 1201	HB 1086-Gosen
HB 1222-Dugger	HB 1390-Thomson, et al
HB 1238-Hinson	HCS for HB 1710
HB 1361-Gosen and Wieland	HCS for HJR 56
HCS for HB 1376	HB 1506-Franklin, et al
HCS for HB 1523	HB 1388-Cornejo, et al
HB 1268-Curtman, et al	HB 1573-Lauer, et al
HB 1092-Lant, et al	HB 1136-Dugger, et al
HCS for HJR 47	HCS for HB 1156
HB 1073-Dugger, et al	HB 1411-Cross, et al
HB 1110-Rowland	HCS for HB 1559
HB 1359-Flanigan	HCS for HB 1902
HCS for HBs 1646 & 1515	HCS for HB 1610
HCS for HB 1296	HCS for HB 1410
HB 1496-Reiboldt, et al	HB 1132-Engler, et al
HB 1173-Burlison, et al	

### THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt  
(In Fiscal Oversight)

### SENATE BILLS FOR PERFECTION

- |                            |                      |
|----------------------------|----------------------|
| 1. SB 593-Sater, with SCS  | 4. SB 745-Munzlinger |
| 2. SB 623-Nieves, with SCS | 5. SB 501-Keaveny    |
| 3. SB 790-Dixon            | 6. SJR 34-Emery      |

- |                                      |                                       |
|--------------------------------------|---------------------------------------|
| 7. SB 673-Kehoe and Wallingford      | 27. SB 854-Wasson, with SCS           |
| 8. SRB 714-Lager, with SCS           | 28. SB 656-Kraus                      |
| 9. SB 734-Cunningham                 | 29. SB 599-Kraus, with SCS            |
| 10. SB 693-Parson                    | 30. SB 708-Sifton                     |
| 11. SB 662-Kraus                     | 31. SB 782-Romine                     |
| 12. SB 607-Dixon                     | 32. SB 499-Keaveny                    |
| 13. SB 727-Chappelle-Nadal           | 33. SJR 27-Schaaf and Dixon, with SCS |
| 14. SB 716-Brown, with SCS           | 34. SB 490-Lager and Kehoe, with SCS  |
| 15. SB 696-Schaefer                  | 35. SB 674-Kehoe                      |
| 16. SB 564-Chappelle-Nadal, with SCS | 36. SB 644-LeVota                     |
| 17. SB 660-Wallingford               | 37. SB 680-Curls, with SCS            |
| 18. SB 675-Kehoe, with SCS           | 38. SB 829-Kraus, with SCS            |
| 19. SB 712-Walsh, with SCS           | 39. SB 584-Dixon                      |
| 20. SB 720-Justus, with SCS          | 40. SB 777-Nieves, with SCS           |
| 21. SB 741-Rupp                      | 41. SB 739-Romine, with SCS           |
| 22. SB 692-Wasson                    | 42. SB 553-Emery, with SCS            |
| 23. SB 601-Holsman                   | 43. SB 707-Wasson, with SCS           |
| 24. SB 719-Kehoe                     | 44. SB 785-Kehoe, with SCS            |
| 25. SB 699-Pearce                    | 45. SB 818-Kehoe                      |
| 26. SB 767-Schmitt, et al, with SCS  |                                       |

#### HOUSE BILLS ON THIRD READING

HB 2014-Stream, with SCS (Schaefer)

#### INFORMAL CALENDAR

#### THIRD READING OF SENATE BILLS

SS for SB 691-Wasson

#### SENATE BILLS FOR PERFECTION

- |   |  |
|---|--|
| SB 491-Justus and Dixon, with SCS<br>(pending)                  | SS for SB 543-Munzlinger                                 |
| SBs 509 & 496-Kraus, with SCS, SS#2 for<br>SCS & SA 1 (pending) | SB 573-Munzlinger, with SCS                              |
| SB 518-Sater, with SCS, SA 2 & SA 1 to<br>SA 2 (pending)        | SB 575-Dixon   |
| SB 519-Sater, with SS & SA 1 (pending)                          | SB 589-Brown, with SCS, SA 2 & SA 1 to<br>SA 2 (pending) |
|   | SB 663-Munzlinger, with SCS                              |
|   | SB 723-Parson, with SCS & SA 1 (pending)                 |

SB 731-Nasheed, with SCS & SA 3 (pending)  
SB 814-Brown

SJR 25-Lager  
SJR 42-Schmitt

### CONSENT CALENDAR

Senate Bills

Reported 3/13

SB 907-Richard  
SB 850-Munzlinger and Holsman, with SCS  
SB 808-Wasson, with SCS

SB 874-Wasson  
SB 875-Sater, with SCS

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# Journal of the Senate

## SECOND REGULAR SESSION

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**THIRTY-SEVENTH DAY—TUESDAY, MARCH 18, 2014**

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The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, March 24, 2014.

## SENATE CALENDAR

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**THIRTY-EIGHTH DAY—MONDAY, MARCH 24, 2014**

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## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 951-Holsman	SB 965-Lager
SB 952-Dixon	SB 966-Lager
SB 953-Nasheed	SB 967-Lager
SB 954-Cunningham	SB 968-Lager
SB 955-Cunningham	SB 969-Kehoe
SB 956-Schaaf	SB 970-Kehoe
SB 957-Holsman	SB 971-Kehoe
SB 958-Nieves	SB 972-Kehoe
SB 959-Curls	SB 973-Brown
SB 960-Munzlinger	SB 974-Rupp
SB 961-Nasheed	SB 975-Emery
SB 962-Justus	SB 976-Emery
SB 963-Justus	SB 977-Schmitt
SB 964-Lager	SB 978-Schmitt

SB 979-Schaefer	SB 992-Dempsey
SB 980-Schaefer	SB 993-Dempsey
SB 981-Schaefer	SB 994-Dixon
SB 982-Schaefer	SB 995-Sifton
SB 983-Pearce	SJR 49-Cunningham
SB 984-Sifton	SJR 50-Lamping
SB 985-Sifton	SJR 51-Lamping
SB 986-Sifton	SJR 52-Lamping
SB 987-Lamping	SJR 53-Lamping
SB 988-Lamping	SJR 54-Lamping
SB 989-Lamping	SJR 55-Nieves
SB 990-Lamping	SJR 56-Dixon
SB 991-Kraus	SJR 57-Lager

## HOUSE BILLS ON SECOND READING

HCS for HB 1510	HB 1073-Dugger, et al
HCS for HB 1044	HB 1110-Rowland
HB 1081-McCaherty, et al	HB 1359-Flanigan
HCS for HB 1085	HCS for HBs 1646 & 1515
HB 1126-Dugger and Entlicher	HCS for HB 1296
HB 1197-Elmer	HB 1496-Reiboldt, et al
HB 1206-Wilson	HB 1173-Burlison, et al
HCS for HB 1217	HCS for HB 1426
HB 1270-Lant, et al	HCS for HRB 1298
HB 1301-Neth	HCS for HRB 1299
HB 1468-Dohrman, et al	HCS for HB 1501
HB 1616-Muntzel, et al	HCS for HBs 1310 & 1236
HCS for HB 1079	HCS for HB 1261
HB 1087-Crawford and Franklin	HB 1495-Torpey and Hicks
HB 1141-Love, et al	HB 1435-Johnson
HCS for HB 1201	HCS for HB 1459
HB 1222-Dugger	HCS for HBs 1307 & 1313
HB 1238-Hinson	HCS for HB 1192
HB 1361-Gosen and Wieland	HB 1271-Molendorp, et al
HCS for HB 1376	HB 1483-Molendorp
HCS for HB 1523	HB 1086-Gosen
HB 1268-Curtman, et al	HB 1390-Thomson, et al
HB 1092-Lant, et al	HCS for HB 1710
HCS for HJR 47	HCS for HJR 56



HB 1506-Franklin, et al  
HB 1388-Cornejo, et al  
HB 1573-Lauer, et al  
HB 1136-Dugger, et al  
HCS for HB 1156  
HB 1411-Cross, et al

HCS for HB 1559  
HCS for HB 1902  
HCS for HB 1610  
HCS for HB 1410  
HB 1132-Engler, et al

### THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt  
(In Fiscal Oversight)

### SENATE BILLS FOR PERFECTION

- |                                      |                                       |
|--------------------------------------|---------------------------------------|
| 1. SB 593-Sater, with SCS            | 24. SB 719-Kehoe                      |
| 2. SB 623-Nieves, with SCS           | 25. SB 699-Pearce                     |
| 3. SB 790-Dixon                      | 26. SB 767-Schmitt, et al, with SCS   |
| 4. SB 745-Munzlinger                 | 27. SB 854-Wasson, with SCS           |
| 5. SB 501-Keaveny                    | 28. SB 656-Kraus                      |
| 6. SJR 34-Emery                      | 29. SB 599-Kraus, with SCS            |
| 7. SB 673-Kehoe and Wallingford      | 30. SB 708-Sifton                     |
| 8. SRB 714-Lager, with SCS           | 31. SB 782-Romine                     |
| 9. SB 734-Cunningham                 | 32. SB 499-Keaveny                    |
| 10. SB 693-Parson                    | 33. SJR 27-Schaaf and Dixon, with SCS |
| 11. SB 662-Kraus                     | 34. SB 490-Lager and Kehoe, with SCS  |
| 12. SB 607-Dixon                     | 35. SB 674-Kehoe                      |
| 13. SB 727-Chappelle-Nadal           | 36. SB 644-LeVota                     |
| 14. SB 716-Brown, with SCS           | 37. SB 680-Curls, with SCS            |
| 15. SB 696-Schaefer                  | 38. SB 829-Kraus, with SCS            |
| 16. SB 564-Chappelle-Nadal, with SCS | 39. SB 584-Dixon                      |
| 17. SB 660-Wallingford               | 40. SB 777-Nieves, with SCS           |
| 18. SB 675-Kehoe, with SCS           | 41. SB 739-Romine, with SCS           |
| 19. SB 712-Walsh, with SCS           | 42. SB 553-Emery, with SCS            |
| 20. SB 720-Justus, with SCS          | 43. SB 707-Wasson, with SCS           |
| 21. SB 741-Rupp                      | 44. SB 785-Kehoe, with SCS            |
| 22. SB 692-Wasson                    | 45. SB 818-Kehoe                      |
| 23. SB 601-Holsman                   |                                       |

### HOUSE BILLS ON THIRD READING

HB 2014-Stream, with SCS (Schaefer)

## INFORMAL CALENDAR

## THIRD READING OF SENATE BILLS

SS for SB 691-Wasson

## SENATE BILLS FOR PERFECTION

SB 491-Justus and Dixon, with SCS (pending)

SBs 509 &amp; 496-Kraus, with SCS, SS#2 for

SCS &amp; SA 1 (pending)

SB 518-Sater, with SCS, SA 2 &amp; SA 1 to

SA 2 (pending)

SB 519-Sater, with SS &amp; SA 1 (pending)

SS for SB 543-Munzlinger

SB 573-Munzlinger, with SCS

SB 575-Dixon

SB 589-Brown, with SCS, SA 2 &amp; SA 1 to

SA 2 (pending)

SB 663-Munzlinger, with SCS

SB 723-Parson, with SCS &amp; SA 1 (pending)

SB 731-Nasheed, with SCS &amp; SA 3 (pending)

SB 814-Brown

SJR 25-Lager

SJR 42-Schmitt

## CONSENT CALENDAR

## Senate Bills

Reported 3/13

SB 907-Richard

SB 850-Munzlinger and Holsman, with SCS

SB 808-Wasson, with SCS

SB 874-Wasson

SB 875-Sater, with SCS

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# Journal of the Senate

## SECOND REGULAR SESSION

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### THIRTY-EIGHTH DAY—MONDAY, MARCH 24, 2014

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Senator Dixon offered the following prayer:

In Proverbs 24:3 we read.....

“Through wisdom a house is built, and by understanding it is established. By knowledge the rooms are filled with all precious and pleasant riches.”

God of all the earth and of all the ages, we ask for the wisdom of Solomon as we seek to do what is right by You and the citizens we serve. Help us to deal in understanding as if it were the currency of Your economy as we continually build this house of the people. Grant us the riches of Your grace and the favor of Your enlightenment. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journals for Thursday, March 13, 2014 and Tuesday, March 18, 2014 were read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—32

Absent—Senators—None

Absent with leave—Senator Wasson—1

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Sater offered Senate Resolution No. 1609, regarding Marilyn J. McNeal, which was adopted.

Senator Libla offered Senate Resolution No. 1610, regarding Trevor Dean Waldner, Dexter, which was adopted.

Senator Curls offered Senate Resolution No. 1611, regarding the 17th Annual College Tour sponsored by Beta Lambda Education Institute and Alpha Phi Alpha's Beta Lambda Chapter, Kansas City, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1612, regarding Dennis Pero, Jennings, which was adopted.

Senator Silvey offered Senate Resolution No. 1613, regarding Troy Spring, Kansas City, which was adopted.

Senator Silvey offered Senate Resolution No. 1614, regarding Alexander Thomas Brooks, which was adopted.

Senator Keaveny offered Senate Resolution No. 1615, regarding Frederick Dick, Webster Groves, which was adopted.

Senator Keaveny offered Senate Resolution No. 1616, regarding John Macchi, Saint Louis, which was adopted.

Senator Keaveny offered Senate Resolution No. 1617, regarding Raymond Anthony Ruzicka, Saint Louis, which was adopted.

Senator Kehoe offered Senate Resolution No. 1618, regarding Jarod Kent McKee, Centertown, which was adopted.

Senator Rupp offered Senate Resolution No. 1619, regarding Edgar Allen Krattli, Lake Saint Louis, which was adopted.

Senator Parson offered Senate Resolution No. 1620, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Milton Schoonover, Lebanon, which was adopted.

Senator Walsh offered Senate Resolution No. 1621, regarding Jon Vogt, North St. Louis County, which was adopted.

Senator Walsh offered Senate Resolution No. 1622, regarding Pat and Lora Click, which was adopted.

Senator Cunningham offered Senate Resolution No. 1623, regarding the One Hundredth Birthday of Edna Burris, Hartville, which was adopted.

Senator Cunningham offered Senate Resolution No. 1624, regarding Austin Beverlin, Ava, which was adopted.

Senator Libla offered Senate Resolution No. 1625, regarding the Welcome Home Vietnam Veterans Day program, Poplar Bluff, which was adopted.

Senator Kraus offered Senate Resolution No. 1626, regarding Carlin F. Danaher, which was adopted.

Senator Kraus offered Senate Resolution No. 1627, regarding Steven J. Gordon, which was adopted.

Senator Kraus offered Senate Resolution No. 1628, regarding Vincent J. Kackley, which was adopted.

Senator Kraus offered Senate Resolution No. 1629, regarding Matthew C. Barris, which was adopted.

Senator Kehoe offered Senate Resolution No. 1630, regarding Southwest Early Childhood Center, Jefferson City, which was adopted.

Senator Walsh offered Senate Resolution No. 1631, regarding Lois and Frank Albers, Spanish Lake, which was adopted.

Senator Pearce offered Senate Resolution No. 1632, regarding Jacob M. Cheney, which was adopted.

Senator Richard offered Senate Resolution No. 1633, regarding Chief Lane J. Roberts, Joplin, which was adopted.

Senator Nasheed offered Senate Resolution No. 1634, regarding “Bringing It Together” and Older Americans Month, which was adopted.

Senator Sater offered Senate Resolution No. 1635, regarding Michael E. Cooper, Shell Knob, which was adopted.

Senator Holsman offered Senate Resolution No. 1636, regarding the death of Joseph S. Kenton, Kansas City, which was adopted.

### **MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 18, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Melba Curls, Democrat, 3832 Myrtle Avenue, Kansas City, Jackson County, Missouri 64128, as a member of the Missouri Real Estate Appraisers Commission, for a term ending September 12, 2014, and until her successor is duly appointed and qualified; vice, Hope Whitehead, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 18, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

David G. Liechti, Democrat, 4804 South Cove Drive, Saint Joseph, Buchanan County, Missouri 64506, as a member of the Missouri

Western State University Board of Governors, for a term ending October 29, 2019, and until his successor is duly appointed and qualified; vice, Kylee M. Strough, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

March 18, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Gregory W. Weaver, Democrat, 2141 East Berkeley, Springfield, Greene County, Missouri 65804, as a member of the Missouri Ethics Commission, for a term ending March 15, 2018, and until his successor is duly appointed and qualified; vice, Dennis E. Rose, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

March 19, 2014

TO THE SECRETARY OF THE SENATE  
97<sup>TH</sup> GENERAL ASSEMBLY  
SECOND REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Bill No. 668 entitled:

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to oral chemotherapy parity.

On March 19, 2014, I approved said Senate Substitute for Senate Bill No. 668.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

March 20, 2014

TO THE SECRETARY OF THE SENATE  
97<sup>TH</sup> GENERAL ASSEMBLY  
SECOND REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you Senate Bill No. 649 entitled:

AN ACT

To repeal sections 67.1830, 67.1836, 67.1838, and 67.1842, RSMo, and to enact in lieu thereof four new sections relating to right-of-way of political subdivisions.

On March 20, 2014, I approved said Senate Bill No. 649.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

March 20, 2014

TO THE SECRETARY OF THE SENATE  
97<sup>TH</sup> GENERAL ASSEMBLY  
SECOND REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Committee Substitute for Senate Bill No. 650 entitled:

AN ACT

To repeal sections 67.5090, 67.5092, 67.5094, 67.5096, 67.5098, 67.5100, 67.5102, and 67.5103, RSMo, and to enact in lieu thereof eight new sections relating to wireless communications infrastructure deployment.

On March 20, 2014, I approved said Senate Substitute for Senate Committee Substitute for Senate Bill No. 650.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

March 20, 2014

TO THE SECRETARY OF THE SENATE  
97<sup>TH</sup> GENERAL ASSEMBLY  
SECOND REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 651 entitled:

AN ACT

To repeal sections 392.415, 392.461, and 392.611, RSMo, and to enact in lieu thereof three new sections relating to communications services.

On March 20, 2014, I approved said Senate Committee Substitute for Senate Bill No. 651.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

March 20, 2014

TO THE SECRETARY OF THE SENATE  
97<sup>TH</sup> GENERAL ASSEMBLY  
SECOND REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 653 entitled:

AN ACT

To repeal sections 67.1830 and 67.5104, RSMo, and to enact in lieu thereof two new sections relating to municipal utility poles.

On March 20, 2014, I approved said House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 653.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Dempsey referred the above appointments to the Committee on Gubernatorial Appointments.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1557**, entitled:

An Act to repeal sections 304.015 and 304.180, RSMo, and to enact in lieu thereof three new sections relating to traffic regulations, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1455**, entitled:

An Act to repeal section 136.300, RSMo, and to enact in lieu thereof one new section relating to tax liability disputes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1337**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to highway designations.



In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1338**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to highway designations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1644**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1532**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of engineer awareness week in Missouri.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1391**, entitled:

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to rodeos.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1064**, entitled:

An Act to repeal sections 178.656, 197.315, 205.968, 208.215, 208.275, as enacted by senate committee

substitute for house committee substitute for house bill no. 464, ninety-sixth general assembly, first regular session, 210.211, 210.516, 211.202, 211.203, 226.805, 287.812, 376.810, 475.010, 475.120, 475.355, 552.040, 563.033, 565.030, 630.003, 630.005, 630.130, 630.340, 630.705, 633.020, 633.105, 633.170, 633.401, 660.075, and 660.405, RSMo, and to enact in lieu thereof twenty-nine new sections relating to individuals with disabilities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1442**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of Alpha Phi Alpha day.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1656**, entitled:

An Act to repeal section 194.255, RSMo, and to enact in lieu thereof one new section relating to anatomical gifts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1633**, entitled:

An Act to repeal section 34.042, RSMo, and to enact in lieu thereof two new sections relating to reverse auctions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1190**, entitled:

An Act to repeal section 304.180, RSMo, and to enact in lieu thereof one new section relating to emergency utility response permits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1181**, entitled:

An Act to repeal sections 3.060, 3.070, 8.700, 8.110, 8.115, 8.180, 8.200, 8.260, 8.310, 8.315, 8.316, 8.320, 8.325, 8.330, 8.340, 8.350, 8.360, 8.800, 8.830, 8.843, 33.710, 33.750, 33.752, 33.753, 33.756, 34.031, 36.030, 37.005, 37.010, 37.020, 37.110, 43.251, 64.090, 89.020, 135.326, 135.335, 135.339, 143.782, 143.790, 143.1002, 160.700, 160.545, 161.418, 161.424, 167.034, 167.122, 167.123, 169.520, 172.875, 181.110, 186.019, 189.095, 191.737, 191.850, 191.853, 191.855, 191.857, 191.858, 191.859, 191.861, 191.863, 191.865, 191.867, 192.601, 192.935, 193.075, 193.215, 196.1103, 197.312, 197.318, 197.367, 198.018, 198.026, 198.029, 198.077, 198.080, 198.087, 198.090, 198.189, 198.421, 198.428, 198.510, 198.515, 199.025, 205.960, 205.961, 205.962, 205.964, 205.965, 207.010, 207.020, 207.030, 207.070, 207.080, 208.015, 208.030, 208.041, 208.042, 208.047, 208.050, 208.060, 208.070, 208.072, 208.075, 208.080, 208.100, 208.120, 208.125, 208.130, 208.145, 208.150, 208.152, 208.154, 208.156, 208.157, 208.164, 208.165, 208.168, 208.175, 208.176, 208.180, 208.182, 208.190, 208.204, 208.210, 208.217, 208.225, 208.300, 208.325, 208.337, 208.345, 208.400, 208.405, 208.471, 208.477, 208.533, 208.606, 208.609, 208.621, 208.636, 208.780, 209.010, 209.020, 209.030, 209.050, 209.060, 209.070, 209.080, 209.090, 209.100, 209.110, 209.240, 209.251, 210.001, 210.115, 210.165, 210.166, 210.167, 210.192, 210.196, 210.254, 210.481, 210.536, 210.537, 210.543, 210.545, 210.551, 210.560, 210.720, 210.829, 210.830, 210.834, 210.843, 210.846, 210.870, 210.900, 210.950, 211.081, 211.180, 211.183, 211.455, 211.477, 217.575, 226.008, 226.805, 251.100, 251.240, 253.320, 261.010, 285.300, 288.220, 288.270, 301.020, 302.133, 302.134, 302.135, 302.137, 302.171, 302.178, 311.650, 313.210, 320.260, 324.032, 334.125, 338.314, 361.010, 376.819, 452.345, 452.346, 452.347, 452.350, 452.370, 452.416, 453.005, 453.014, 453.015, 453.026, 453.065, 453.070, 453.074, 453.077, 453.102, 453.110, 453.400, 454.400, 454.403, 454.405, 454.408, 454.415, 454.420, 454.425, 454.430, 454.432, 454.433, 454.435, 454.440, 454.445, 454.450, 454.455, 454.460, 454.465, 454.472, 454.478, 454.490, 454.495, 454.496, 454.500, 454.505, 454.513, 454.530, 454.531, 454.565, 454.600, 454.700, 454.853, 454.902, 454.1000, 454.1003, 454.1023, 454.1027, 454.1029, 483.163, 487.080, 487.150, 513.430, 516.350, 577.608, 590.040, 595.030, 595.036, 595.037, 595.060, 610.029, 610.120, 620.010, 620.483, 620.490, 620.556, 620.558, 620.560, 620.562, 620.566, 620.570, 620.572, 620.1100, 620.1580, 630.097, 632.070, 650.005, 660.010, 660.050, 660.053, 660.054, 660.055, 660.057, 660.058, 660.060, 660.062, 660.067, 660.069, 660.070, 660.075, 660.130, 660.225, 660.250, 660.255, 660.260, 660.261, 660.263, 660.265, 660.270, 660.275, 660.280, 660.285, 660.290, 660.295, 660.300, 660.305, 660.310, 660.315, 660.317, 660.320, 660.321, 660.400, 660.403, 660.405, 660.407, 660.409, 660.411, 660.414, 660.416, 660.418, 660.420, 660.523, 660.525, 660.526, 660.600, 660.603, 660.605, 660.608, 660.620, 660.690, and 701.336, RSMo, and to enact in lieu thereof three hundred forty-one new sections for the sole purpose of codifying previous executive branch reorganizations, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President:

I hereby transmit to you the corrected message on **HCS** for **HB 1295**, entitled:

## AN ACT

To repeal sections 143.011, 143.021, 143.151, and 143.221, RSMo and to enact in lieu thereof five new sections relating to income taxes.

and:

**HCS for HBs 1253 & 1297**, entitled:

## AN ACT

To repeal sections 143.071 and 143.221, RSMo, and to enact in lieu thereof four new sections relating to the taxation of business income.

**SENATE BILLS FOR PERFECTION**

Senator Pearce assumed the Chair.

At the request of Senator Sater, **SB 593**, with **SCS**, was placed on the Informal Calendar.

Senator Nieves moved that **SB 623**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS for SB 623**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 623**

An Act to repeal sections 115.225 and 115.237, RSMo, and to enact in lieu thereof three new sections relating to elections.

Was taken up.

Senator Nieves moved that **SCS for SB 623** be adopted.

Senator Munzlinger offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for Senate Bill No. 623, Page 6, Section 115.506, Line 2, by inserting immediately after said line the following:

**“190.336. 1. Each member of an emergency services board established pursuant to section 190.335 shall be subject to recall from office by the registered voters of the election district from which he or she was elected. Proceedings may be commenced for the recall of any such member by the filing of a notice of intention to circulate a recall petition under this section.**

**2. Proceedings may not be commenced against any member if, at the time of commencement, such member:**

**(1) Has not held office during his or her current term for a period of more than one hundred eighty days;**

**(2) Has one hundred eighty days or less remaining in his or her term; or**

**(3) Has had a recall election determined in his or her favor within the current term of office.**

**3. The notice of intention to circulate a recall petition shall be served personally, or by certified mail, on the board member sought to be recalled. A copy thereof shall be filed, along with an affidavit of the time and manner of service, with the election authority, as defined in chapter 115. A separate notice shall be filed for each board member sought to be recalled and shall contain all of the following:**

**(1) The name of the board member sought to be recalled;**

**(2) A statement, not exceeding two hundred words in length, of the reasons for the proposed recall; and**

**(3) The names and business or residential addresses of at least one but not more than five proponents of the recall.**

**4. Within seven days after the filing of the notice of intention, the board member may file with the election authority a statement, not exceeding two hundred words in length, in answer to the statement of the proponents. If an answer is filed, the board member shall also serve a copy of it, personally or by certified mail, on one of the proponents named in the notice of intention. The statement and answer are intended solely to be used for the information of the voters. No insufficiency in form or substance of such statements shall affect the validity of the election proceedings.**

**5. Before any signature may be affixed to a recall petition, the petition is required to bear all of the following:**

**(1) A request that an election be called to elect a successor to the board member;**

**(2) A copy of the notice of intention, including the statement of grounds for recall;**

**(3) The answer of the board member sought to be recalled, if any exists. If the board member has not answered, the petition shall so state; and**

**(4) A place for each signer to affix his or her signature, printed name, and residential address, including any address in a city, town, village, or unincorporated community.**

**6. Each section of the petition, when submitted to the election authority, shall have attached to it an affidavit signed by the person circulating such section, setting forth all of the following:**

**(1) The printed name of the affiant;**

**(2) The residential address of the affiant;**

**(3) That the affiant circulated that section and saw the appended signatures be written;**

**(4) That according to the best information and belief of the affiant, each signature is the genuine signature of the person whose name it purports to be;**

**(5) That the affiant is a registered voter of the election district of the board member sought to be recalled; and**

**(6) The dates between which all the signatures to the petition were obtained.**

**7. A recall petition shall be filed with the election authority not more than one hundred eighty days after the filing of the notice of intention.**

**8. The number of qualified signatures required in order to recall a board member shall be equal in number to at least twenty-five percent of the number of voters who voted in the most recent gubernatorial election in such election district.**

**9. Within twenty days from the filing of the recall petition the election authority shall determine whether the petition was signed by the required number of qualified signatures. The election authority shall file with the petition a certificate showing the results of the examination. The election authority shall give the proponents a copy of the certificate upon their request.**

**10. If the election authority certifies the petition to be insufficient, it may be supplemented within ten days of the date of certification by filing additional petition sections containing all of the information required by this section. Within ten days after the supplemental copies are filed, the election authority shall file with them a certificate stating whether or not the petition as supplemented is sufficient.**

**11. If the certificate shows that the petition as supplemented is insufficient, no action shall be taken on it; however, the petition shall remain on file.**

**12. If the election authority finds the signatures on the petition, together with the supplementary petition sections, if any, to be sufficient, it shall submit its certificate as to the sufficiency of the petition to the emergency services board prior to its next meeting. The certificate shall contain:**

- (1) The name of the member whose recall is sought;**
- (2) The number of signatures required by law;**
- (3) The total number of signatures on the petition; and**
- (4) The number of valid signatures on the petition.**

**13. Following the emergency services board's receipt of the certificate, the election authority shall order an election to be held on one of the election days specified in section 115.123. The election shall be held not less than forty-five days but not more than one hundred twenty days from the date the emergency services board receives the petition. Nominations for board membership openings under this section shall be made by filing a statement of candidacy with the election authority.**

**14. At any time prior to forty-two days before the election, the member sought to be recalled may offer his or her resignation. If his or her resignation is offered, the recall question shall be removed from the ballot and the office declared vacant. The member who resigned shall not fill the vacancy, which shall be filled as otherwise provided by law.**

**15. The provisions of chapter 115 governing the conduct of elections shall apply, where appropriate, to recall elections held under this section. The costs of the election shall be paid as provided in chapter 115.”; and**

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Nieves moved that **SCS for SB 623**, as amended, be adopted, which motion prevailed.

On motion of Senator Nieves, **SCS for SB 623**, as amended, was declared perfected and ordered printed.

Senator Dixon moved that **SB 790** be taken up for perfection, which motion prevailed.

Senator Justus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 790, Pages 9-10, Section 565.033, Lines 3-13, by striking all of said lines and inserting in lieu thereof the following: “**offense shall be sentenced to either imprisonment for life without eligibility for probation, parole, or conditional release or imprisonment for life with eligibility for parole.**”.

Senator Justus moved that the above amendment be adopted, which motion failed.

Senator Schaefer offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 790, Page 10, Section 565.033, Lines 18-43, by striking all of said lines from the bill; and

Further renumber the remaining subsections accordingly.

Senator Schaefer moved that the above amendment be adopted.

At the request of Senator Dixon, **SB 790**, with **SA 2** (pending), was placed on the Informal Calendar.

Senator Munzlinger moved that **SB 745** be taken up for perfection, which motion prevailed.

Senator Munzlinger offered **SS** for **SB 745**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 745

An Act to repeal sections 57.015, 57.201, 57.220, 57.250, 221.105, 488.5026, 544.216, 571.030, 571.101, 571.104, 571.111, and 650.350, RSMo, and to enact in lieu thereof twelve new sections relating to operations of the office of sheriff, with an existing penalty provision and an emergency clause for certain sections.

Senator Munzlinger moved that **SS** for **SB 745** be adopted.

Senator Lager offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 745, Page 8, Section 544.216, Line 14 of said page, by inserting after “544.216.” the following: “**Except as otherwise provided in section 544.157,**”.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Kraus offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 745, Page 40, Section 571.111, Line 5 of said page, by inserting immediately after the word “unload” the word “**either**”; and further amend line 6 of said page, by striking the word “and” as it appears the first time on said line and inserting in lieu thereof the word “**or**”;

and further amend line 7 of said page, by striking the word “both” and inserting in lieu thereof the following: “**either firearm**”; and further amend line 19 of said page, by striking the word “both” and inserting in lieu thereof the word “**either**”; and further amend said line by striking the word “and” and inserting in lieu thereof the word “**or**”; and further amend line 21 of said page, by striking the word “each” and inserting in lieu thereof the word “**the**”; and further amend line 24 of said page, by striking “each handgun” and inserting in lieu thereof the following: “**either a revolver or a semiautomatic pistol**”; and

Further amend said bill and section, page 41, line 9 of said page, by striking the following: “, with both handguns”.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Lager assumed the Chair.

At the request of Senator Munzlinger, **SB 745**, with **SS**, as amended (pending), was placed on the Informal Calendar.

Senator Dixon moved that **SB 790**, with **SA 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 2** was again taken up.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Brown offered **SA 3**:

#### SENATE AMENDMENT NO. 3

Amend Senate Bill No. 790, Page 1, Section A, Line 4, by inserting after all of said line the following:

“546.680. **1. Except as otherwise provided under subsection 2 of this section**, when judgment of death is rendered by any court of competent jurisdiction, a warrant signed by the judge and attested by the clerk under the seal of the court must be drawn and delivered to the sheriff. It must state the conviction and judgment and appoint a day on which the judgment must be executed, which must not be less than thirty nor more than sixty days from the date of judgment, and must direct the sheriff to deliver the defendant, at a time specified in said order, not more than ten days from the date of judgment, to the chief administrative officer of a correctional facility of the department of corrections, for execution.

**2. In cases in which a defendant kidnapped a victim before causing the victim's death, when the defendant has completed his or her direct appeal and postconviction proceeding in state court and habeas corpus proceeding and appeal in federal court, unless the defendant's conviction or sentence has been invalidated or remanded as a result of such proceeding, or when the defendant has allowed the time permitted for filing a habeas corpus petition in federal court to expire, the supreme court shall issue a warrant of execution directing the chief administrative officer of the correctional facility to execute the sentence within ten days from the date of the warrant.**

**547.380. 1. When a notice of appeal is filed in a criminal case in which a sentence of death has been imposed and the defendant kidnapped the victim before causing the victim's death, the rules relating to appellate practice shall govern except as otherwise provided by this section.**



**2. The following procedures shall apply to an appeal in a criminal case in which a sentence of death has been imposed and the defendant kidnapped the victim before causing the victim's death:**

**(1) Extensions of time shall not be granted, except in exceptional circumstances, for the filing of a record on appeal or primary briefs. An extension for filing a primary brief shall be no more than ninety days. No party shall be granted more than two extensions, except upon a showing of unique and extraordinary circumstances, and no extension shall exceed thirty days. No request for additional time that will cause the brief filing date to extend beyond two hundred seventy days from the initial filing due date may be granted without a hearing before the full supreme court in which counsel shall explain the unique and extraordinary circumstances justifying additional time to the court's satisfaction. Extensions of time to file a reply brief and exceptions to limitations on the length of briefs shall not be granted;**

**(2) The appeal shall be advanced on the court docket and take precedence over all other appeals before the court. The fact that an attorney is engaged in drafting a brief for an appeal in a criminal case in which a sentence of death has been imposed and the defendant kidnapped the victim before causing the victim's death shall be considered by any appellate court as an exceptional circumstance warranting extensions of time to file briefs or other documents in any other case in which counsel is also engaged as lead counsel, upon the request of counsel;**

**(3) Oral arguments shall be heard by the supreme court no later than six months after the filing of the final reply brief of the appellant and the supreme court shall issue a written decision no later than six months after oral argument; and**

**(4) Whether briefed or not, plain errors affecting substantial rights may be considered in the discretion of the court when the court finds that manifest injustice or miscarriage of justice has resulted therefrom. If the court determines that it will consider an error that has not been briefed, the court shall notify the parties of the particular issue no later than sixty days prior to the scheduled oral argument, and shall allow the parties to submit supplemental briefs on the matter prior to oral argument. Such supplemental briefs shall be limited to no more than twenty pages. The court shall not consider any errors that are not identified and brought to the parties' attention prior to sixty days before oral argument.”; and**

Further amend the title and enacting clause accordingly.

Senator Brown moved that the above amendment be adopted.

Senator Dixon raised the point of order that **SA 3** is out of order in that it goes beyond the scope of the underlying subject matter of the bill.

The point of order was referred to the President Pro Tem who took it under advisement, which placed **SB 790**, with **SA 3** and the point of order (pending), on the Informal Calendar.

Senator Keaveny moved that **SB 501** be taken up for perfection, which motion prevailed.

At the request of Senator Keaveny, **SB 501** was placed on the Informal Calendar.

## **COMMUNICATIONS**

President Pro Tem Dempsey submitted the following:

**SENATE HEARING SCHEDULE**  
**97th GENERAL ASSEMBLY**  
**SECOND REGULAR SESSION**  
**March 24, 2014**

	Monday	Tuesday	Wednesday	Thursday
8:00 a.m.		<b>Appropriations</b> <b>SCR 2</b> (Schaefer)  <b>Seniors, Families and Pensions</b> <b>SCR 1</b> (Lamping)	<b>Appropriations</b> <b>SCR 2</b> (Schaefer)  <b>Transportation and Infrastructure</b> <b>SCR 1</b> (Kehoe)	
8:30 a.m.			<b>Gubernatorial Appointments</b> <b>SL</b> (Dempsey)	<b>Ways and Means</b> <b>SCR 1</b> (Kraus)  <b>Veterans' Affairs and Health</b> <b>SL</b> (Brown)
12:00 p.m.		<b>Small Business, Insurance and Industry</b> <b>SCR 1</b> (Rupp)  <b>Rules, Joint Rules, Resolutions and Ethics</b> <b>SL</b> (Richard)	<b>Jobs, Economic Development and Local Government</b> <b>SL</b> (Schmitt)  <b>Agriculture, Food Production and Outdoor Resources</b> <b>SCR 1</b> (Munzlinger)	
12:30 p.m.	<b>Appropriations</b> <b>SCR 2</b> (Schaefer)			
1:30 p.m.		<b>Commerce, Consumer Protection, Energy and the Environment</b> <b>SL</b> (Lager)  <b>General Laws</b> <b>SCR 1</b> (Nieves)	<b>Governmental Accountability and Fiscal Oversight</b> <b>SCR 1</b> (Parson)  <b>Education</b> <b>SL</b> (Pearce)	
2:00 p.m.	<b>Financial and Governmental Organizations and Elections</b> <b>SL</b> (Wasson)		<b>Progress and Development</b> <b>SCR 2</b> (Justus)	
7:00 p.m.	<b>Judiciary and Civil and Criminal Jurisprudence</b> <b>SL</b> (Dixon)			

**SENATE BILLS FOR PERFECTION**

Senator Munzlinger moved that **SB 745**, with **SS**, as amended (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SS** for **SB 745** was again taken up.

Senator Schmitt offered **SA 3**:

**SENATE AMENDMENT NO. 3**

Amend Senate Substitute for Senate Bill No. 745, Page 4, Section 221.105, Line 23 of said page by striking the following:

“, which shall not exceed the amount”; and

Further amend lines 24-28 by striking all of said lines from the bill; and

Further amend said bill and section, page 5, line 1 by striking the following: “adopted by the county commission”.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger moved that **SS** for **SB 745**, as amended, be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SS** for **SB 745**, as amended, was declared perfected and ordered printed.

Senator Emery moved that **SJR 34** be taken up for perfection, which motion prevailed.

Senator Emery offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Joint Resolution No. 34, Page 1, Section 2, Line 11, by inserting immediately after said line the following:

“Section B. Pursuant to chapter 116, and other applicable constitutional provisions and laws of the this state allowing the general assembly to adopt ballot language for the submission of this joint resolution to the voters of this state, the official summary statement of this resolution shall be as follows:

“Shall the Missouri Constitution be amended to provide that all impeachment trials are tried by the senate, and when the Governor is being tried, the Chief Justice of the Missouri Supreme Court shall preside; and no person shall be convicted without the concurrence of two-thirds of all senators present?””.

Senator Emery moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Emery, **SJR 34**, as amended, was placed on the Informal Calendar.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1089**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the bring jobs home act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1204**, entitled:

An Act to amend chapter 305, RSMo, by adding thereto four new sections relating to aerial surveillance.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1055**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the Missouri International Business Advertising Fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1090**, entitled:

An Act to repeal section 105.935, RSMo, and to enact in lieu thereof one new section relating to state employees.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1300**, entitled:

An Act to repeal section 321.200, RSMo, and to enact in lieu thereof one new section relating to fire protection district board meetings.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1504**, entitled:

An Act to repeal section 99.845, RSMo, and to enact in lieu thereof one new section relating to tax increment financing.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1791**, entitled:

An Act to authorize the conveyance of certain state properties.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1802**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 623**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

### **RESOLUTIONS**

Senator Dempsey offered Senate Resolution No. 1637, regarding Paul John Eeftink, Saint Peters, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Libla introduced to the Senate, Pastor Jamie Jones, his wife Debra, Pastor Earl Grissom, parents and forty ninth and tenth grade students.

On motion of Senator Richard, the Senate adjourned under the rules.

## SENATE CALENDAR

THIRTY-NINTH DAY—TUESDAY, MARCH 25, 2014

## FORMAL CALENDAR

## SECOND READING OF SENATE BILLS

SB 951-Holsman	SB 978-Schmitt
SB 952-Dixon and Sifton	SB 979-Schaefer
SB 953-Nasheed	SB 980-Schaefer
SB 954-Cunningham	SB 981-Schaefer
SB 955-Cunningham	SB 982-Schaefer
SB 956-Schaaf	SB 983-Pearce
SB 957-Holsman	SB 984-Sifton
SB 958-Nieves	SB 985-Sifton
SB 959-Curls	SB 986-Sifton
SB 960-Munzlinger	SB 987-Lamping
SB 961-Nasheed	SB 988-Lamping
SB 962-Justus	SB 989-Lamping
SB 963-Justus	SB 990-Lamping
SB 964-Lager	SB 991-Kraus
SB 965-Lager	SB 992-Dempsey
SB 966-Lager	SB 993-Dempsey
SB 967-Lager	SB 994-Dixon
SB 968-Lager	SB 995-Sifton
SB 969-Kehoe	SJR 49-Cunningham
SB 970-Kehoe	SJR 50-Lamping
SB 971-Kehoe	SJR 51-Lamping
SB 972-Kehoe	SJR 52-Lamping
SB 973-Brown	SJR 53-Lamping
SB 974-Rupp	SJR 54-Lamping
SB 975-Emery	SJR 55-Nieves
SB 976-Emery	SJR 56-Dixon
SB 977-Schmitt	SJR 57-Lager

## HOUSE BILLS ON SECOND READING

HCS for HB 1510

HCS for HB 1044

HB 1081-McCaherty, et al  
HCS for HB 1085  
HB 1126-Dugger and Entlicher  
HB 1197-Elmer  
HB 1206-Wilson  
HCS for HB 1217  
HB 1270-Lant, et al  
HB 1301-Neth  
HB 1468-Dohrman, et al  
HB 1616-Muntzel, et al  
HCS for HB 1079  
HB 1087-Crawford and Franklin  
HB 1141-Love, et al  
HCS for HB 1201  
HB 1222-Dugger  
HB 1238-Hinson  
HB 1361-Gosen and Wieland  
HCS for HB 1376  
HCS for HB 1523  
HB 1268-Curtman, et al  
HB 1092-Lant, et al  
HCS for HJR 47  
HB 1073-Dugger, et al  
HB 1110-Rowland  
HB 1359-Flanigan  
HCS for HBs 1646 & 1515  
HCS for HB 1296  
HB 1496-Reiboldt, et al  
HB 1173-Burlison, et al  
HCS for HB 1426  
HCS for HRB 1298  
HCS for HRB 1299  
HCS for HB 1501  
HCS for HBs 1310 & 1236  
HCS for HB 1261  
HB 1495-Torpey and Hicks  
HB 1435-Johnson  
HCS for HB 1459  
HCS for HBs 1307 & 1313

HCS for HB 1192  
HB 1271-Molendorp, et al  
HB 1483-Molendorp  
HB 1086-Gosen  
HB 1390-Thomson, et al  
HCS for HB 1710  
HCS for HJR 56  
HB 1506-Franklin, et al  
HB 1388-Cornejo, et al  
HB 1573-Lauer, et al  
HB 1136-Dugger, et al  
HCS for HB 1156  
HB 1411-Cross, et al  
HCS for HB 1559  
HCS for HB 1902  
HCS for HB 1610  
HCS for HB 1410  
HB 1132-Engler, et al  
HCS for HB 1557  
HB 1455-Hoskins and Fraker  
HB 1337-Fitzwater, et al  
HB 1338-Fitzwater, et al  
HCS for HB 1644  
HB 1532-Spencer and Hicks  
HCS for HB 1391  
HB 1064-Grisamore  
HB 1442-Dunn, et al  
HB 1656-Neely and Hurst  
HB 1633-Franklin, et al  
HB 1190-Kelley (127), et al  
HCS for HB 1181  
HCS for HB 1089  
HCS for HB 1204  
HB 1055-Johnson  
HCS for HB 1090  
HCS for HB 1300  
HB 1504-Zerr  
HB 1791-Fitzwater, et al  
HB 1802-Roorda and McCaherty

## THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt  
(In Fiscal Oversight)

SCS for SB 623-Nieves

## SENATE BILLS FOR PERFECTION

- |                                      |                                       |
|--------------------------------------|---------------------------------------|
| 1. SB 673-Kehoe and Wallingford      | 21. SB 854-Wasson, with SCS           |
| 2. SRB 714-Lager, with SCS           | 22. SB 656-Kraus                      |
| 3. SB 734-Cunningham                 | 23. SB 599-Kraus, with SCS            |
| 4. SB 693-Parson                     | 24. SB 708-Sifton                     |
| 5. SB 662-Kraus                      | 25. SB 782-Romine                     |
| 6. SB 607-Dixon                      | 26. SB 499-Keaveny                    |
| 7. SB 727-Chappelle-Nadal            | 27. SJR 27-Schaaf and Dixon, with SCS |
| 8. SB 716-Brown, with SCS            | 28. SB 490-Lager and Kehoe, with SCS  |
| 9. SB 696-Schaefer                   | 29. SB 674-Kehoe                      |
| 10. SB 564-Chappelle-Nadal, with SCS | 30. SB 644-LeVota                     |
| 11. SB 660-Wallingford               | 31. SB 680-Curls, with SCS            |
| 12. SB 675-Kehoe, with SCS           | 32. SB 829-Kraus, with SCS            |
| 13. SB 712-Walsh, with SCS           | 33. SB 584-Dixon                      |
| 14. SB 720-Justus, with SCS          | 34. SB 777-Nieves, with SCS           |
| 15. SB 741-Rupp                      | 35. SB 739-Romine, with SCS           |
| 16. SB 692-Wasson                    | 36. SB 553-Emery, with SCS            |
| 17. SB 601-Holsman                   | 37. SB 707-Wasson, with SCS           |
| 18. SB 719-Kehoe                     | 38. SB 785-Kehoe, with SCS            |
| 19. SB 699-Pearce                    | 39. SB 818-Kehoe                      |
| 20. SB 767-Schmitt, et al, with SCS  |                                       |

## HOUSE BILLS ON THIRD READING

HB 2014-Stream, with SCS (Schaefer)

## INFORMAL CALENDAR

## THIRD READING OF SENATE BILLS

SS for SB 691-Wasson



SENATE BILLS FOR PERFECTION

SB 491-Justus and Dixon, with SCS (pending)

SB 501-Keaveny

SBs 509 & 496-Kraus, with SCS, SS#2 for  
SCS & SA 1 (pending)

SB 518-Sater, with SCS, SA 2 & SA 1 to  
SA 2 (pending)

SB 519-Sater, with SS & SA 1 (pending)  
SS for SB 543-Munzlinger

SB 573-Munzlinger, with SCS

SB 575-Dixon

SB 589-Brown, with SCS, SA 2 & SA 1 to  
SA 2 (pending)

SB 593-Sater, with SCS

SB 663-Munzlinger, with SCS

SB 723-Parson, with SCS & SA 1 (pending)

SB 731-Nasheed, with SCS & SA 3  
(pending)

SB 790-Dixon, with SA 3 & point of order  
(pending)

SB 814-Brown

SJR 25-Lager

SJR 34-Emery

SJR 42-Schmitt

CONSENT CALENDAR

Senate Bills

Reported 3/13

SB 907-Richard

SB 850-Munzlinger and Holsman, with SCS

SB 808-Wasson, with SCS

SB 874-Wasson

SB 875-Sater, with SCS

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# Journal of the Senate

## SECOND REGULAR SESSION

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**THIRTY-NINTH DAY—TUESDAY, MARCH 25, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“When I look at your heavens, the work of your fingers, the moon and the stars, that you have established; what are human beings that you are mindful of them, mortals that you care for them?” (Psalm 8:3-4)

Creator Lord, You surround us each day with reminders of Your gracious and loving care. Keep us mindful that our very lives and all that we receive are gifts from You. Continue to guide us and keep us faithful to the work You have called us to do, mindful of Your Word and the expression of it in all that we do. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Munzlinger offered the following resolution, which was adopted:

**SENATE RESOLUTION NO. 1638**

Whereas, the members of the Missouri Senate feel it is altogether right and proper to pause from time to time to recognize world leaders who have made immeasurable contributions to the well being of mankind and whose legacies will echo down through the ages; and

Whereas, the members now pause to recognize the late Dr. Norman Borlaug, who was born one hundred years ago, on March 25, 1914, in Cresco, Iowa, and who would prove to be a seminal figure in the war on hunger and in the green revolution; and

Whereas, Dr. Borlaug is revered as one of America's and the world's greatest agricultural scientists, responsible for saving hundreds of millions of people from famine, starvation, and death; and

Whereas, Dr. Borlaug received his bachelor of science in biology and Ph.D. in plant pathology and genetics from the University of Minnesota, then took up an agricultural research position in Mexico, where he developed semi-dwarf, high-yield, disease-resistant wheat varieties, known as "miracle wheat", which quickly made its way to India and Pakistan and other countries in Asia and the Middle East as they faced imminent, massive food shortages; and

Whereas, the 1970 recipient of the Nobel Peace Prize, Dr. Borlaug was granted the United States Presidential Medal of Freedom and the Congressional Gold Medal, this country's two highest civilian honors, for his prodigious accomplishments in fighting hunger; and

Whereas, a Fellow of the Royal Society, Dr. Borlaug is also the deserving recipient of the Public Welfare Medal from the United States National Academy of Sciences "in recognition of distinguished contributions in the application of science to the public welfare", the most prestigious honor conferred by the Academy; the National Medal of Science, an honor bestowed by the President of the United States to individuals in science and engineering who have made important contributions to the advancement of knowledge in the fields of behavioral and social sciences, biology, chemistry, engineering, mathematics, and physics; and the Padma Vibhushan, the second highest civilian award in the Republic of India; and

Whereas, State Agriculture and Rural Leaders honors Dr. Borlaug's memory, and as a tribute to him, encourages everyone to join in the effort to eradicate hunger:

Now, Therefore, Be It Resolved that we, the members of the Missouri Senate, Ninety-seventh General Assembly, join the State Agriculture and Rural Leaders, an organization of agriculture and rural leaders of state and provincial legislative bodies from the United States and Canada, in encouraging all Missourians to engage in appropriate events, programs, and activities on March 25, 2014, "National Agriculture Day", in remembrance of Dr. Borlaug; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution to the State Agriculture and Rural Leaders on the illustrious occasion of "National Agriculture Day", March 25, 2014.

Senator Pearce offered Senate Resolution No. 1639, regarding Dr. Mary McCord, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1640, regarding the Johnson County Senior Patient Safety Coalition, which was adopted.

**SENATE BILLS FOR PERFECTION**

Senator Sater moved that **SB 593**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 593**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 593**

An Act to repeal section 115.124, RSMo, and to enact in lieu thereof one new section relating to

nonpartisan elections.

Was taken up.

Senator Sater moved that **SCS** for **SB 593** be adopted.

Senator Sater offered **SS** for **SCS** for **SB 593**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 593

An Act to repeal section 115.124, RSMo, and to enact in lieu thereof one new section relating to nonpartisan elections.

Senator Sater moved that **SS** for **SCS** for **SB 593** be adopted.

Senator Munzlinger offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 593, Page 3, Section 115.124, Line 20, by inserting immediately after said line, the following:

**“190.336. 1. Each member of an emergency services board established pursuant to section 190.335 shall be subject to recall from office by the registered voters of the election district from which he or she was elected. Proceedings may be commenced for the recall of any such member by the filing of a notice of intention to circulate a recall petition under this section.**

**2. Proceedings may not be commenced against any member if, at the time of commencement, such member:**

**(1) Has not held office during his or her current term for a period of more than one hundred eighty days;**

**(2) Has one hundred eighty days or less remaining in his or her term; or**

**(3) Has had a recall election determined in his or her favor within the current term of office.**

**3. The notice of intention to circulate a recall petition shall be served personally, or by certified mail, on the board member sought to be recalled. A copy thereof shall be filed, along with an affidavit of the time and manner of service, with the election authority, as defined in chapter 115. A separate notice shall be filed for each board member sought to be recalled and shall contain all of the following:**

**(1) The name of the board member sought to be recalled;**

**(2) A statement, not exceeding two hundred words in length, of the reasons for the proposed recall; and**

**(3) The names and business or residential addresses of at least one but not more than five proponents of the recall.**

**4. Within seven days after the filing of the notice of intention, the board member may file with the**

election authority a statement, not exceeding two hundred words in length, in answer to the statement of the proponents. If an answer is filed, the board member shall also serve a copy of it, personally or by certified mail, on one of the proponents named in the notice of intention. The statement and answer are intended solely to be used for the information of the voters. No insufficiency in form or substance of such statements shall affect the validity of the election proceedings.

5. Before any signature may be affixed to a recall petition, the petition is required to bear all of the following:

- (1) A request that an election be called to elect a successor to the board member;
- (2) A copy of the notice of intention, including the statement of grounds for recall;
- (3) The answer of the board member sought to be recalled, if any exists. If the board member has not answered, the petition shall so state; and
- (4) A place for each signer to affix his or her signature, printed name, and residential address, including any address in a city, town, village, or unincorporated community.

6. Each section of the petition, when submitted to the election authority, shall have attached to it an affidavit signed by the person circulating such section, setting forth all of the following:

- (1) The printed name of the affiant;
- (2) The residential address of the affiant;
- (3) That the affiant circulated that section and saw the appended signatures be written;
- (4) That according to the best information and belief of the affiant, each signature is the genuine signature of the person whose name it purports to be;
- (5) That the affiant is a registered voter of the election district of the board member sought to be recalled; and
- (6) The dates between which all the signatures to the petition were obtained.

7. A recall petition shall be filed with the election authority not more than one hundred eighty days after the filing of the notice of intention.

8. The number of qualified signatures required in order to recall a board member shall be equal in number to at least twenty-five percent of the number of voters who voted in the most recent gubernatorial election in such election district.

9. Within twenty days from the filing of the recall petition the election authority shall determine whether the petition was signed by the required number of qualified signatures. The election authority shall file with the petition a certificate showing the results of the examination. The election authority shall give the proponents a copy of the certificate upon their request.

10. If the election authority certifies the petition to be insufficient, it may be supplemented within ten days of the date of certification by filing additional petition sections containing all of the information required by this section. Within ten days after the supplemental copies are filed, the election authority shall file with them a certificate stating whether or not the petition as supplemented

is sufficient.

**11. If the certificate shows that the petition as supplemented is insufficient, no action shall be taken on it; however, the petition shall remain on file.**

**12. If the election authority finds the signatures on the petition, together with the supplementary petition sections, if any, to be sufficient, it shall submit its certificate as to the sufficiency of the petition to the emergency services board prior to its next meeting. The certificate shall contain:**

- (1) The name of the member whose recall is sought;**
- (2) The number of signatures required by law;**
- (3) The total number of signatures on the petition; and**
- (4) The number of valid signatures on the petition.**

**13. Following the emergency services board's receipt of the certificate, the election authority shall order an election to be held on one of the election days specified in section 115.123. The election shall be held not less than forty-five days but not more than one hundred twenty days from the date the emergency services board receives the petition. Nominations for board membership openings under this section shall be made by filing a statement of candidacy with the election authority.**

**14. At any time prior to forty-two days before the election, the member sought to be recalled may offer his or her resignation. If his or her resignation is offered, the recall question shall be removed from the ballot and the office declared vacant. The member who resigned shall not fill the vacancy, which shall be filled as otherwise provided by law.**

**15. The provisions of chapter 115 governing the conduct of elections shall apply, where appropriate, to recall elections held under this section. The costs of the election shall be paid as provided in chapter 115.”; and**

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Sater moved that **SS** for **SCS** for **SB 593**, as amended, be adopted, which motion prevailed.

On motion of Senator Sater, **SS** for **SCS** for **SB 593**, as amended, was declared perfected and ordered printed.

Senator Kraus assumed the Chair.

Senator Nasheed moved that **SB 731**, with **SCS** and **SA 3** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 3** was again taken up.

Senator Schmitt assumed the Chair.

Senator Schaaf moved that **SA 3** be adopted, which motion prevailed.

Senator Schaefer offered **SA 4**:

## SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bill No. 731, Page 8, Section 82.1030, Line 9, by inserting immediately after all of said line the following:

**“Section 1. No action shall be brought under section 82.1025 or sections 82.1027 to 82.1030 if the owner of the property that is the subject of the action is in good faith compliance with any order issued by the department of natural resources, the United States Environmental Protection Agency, or the office of attorney general.”; and**

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Nasheed offered **SA 5**, which was read:

## SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for Senate Bill No. 731, Page 2, Section 82.1025, Line 27, by striking the opening bracket “[”]; and further amend line 32, by striking the closing bracket “]”.

Senator Nasheed moved that the above amendment be adopted, which motion prevailed.

Senator Nasheed moved that **SCS** for **SB 731**, as amended, be adopted, which motion prevailed.

On motion of Senator Nasheed, **SCS** for **SB 731**, as amended, was declared perfected and ordered printed.

Senator Emery moved that **SJR 34**, as amended, be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Emery, **SJR 34**, as amended, was placed on the Informal Calendar.

Senator Kehoe moved that **SB 673** be taken up for perfection, which motion prevailed.

Senator Kehoe offered **SA 1**, which was read:

## SENATE AMENDMENT NO. 1

Amend Senate Bill No. 673, Page 3, Section 288.060, Line 59, by striking the following: “and one half”.

Senator Kehoe moved that the above amendment be adopted.

At the request of Senator Kehoe, **SB 673**, with **SA 1** (pending), was placed on the Informal Calendar.

**REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 593** and **SS** for **SB 745**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### **REFERRALS**

President Pro Tem Dempsey referred **SS** for **SB 745** and **SCS** for **SB 623** to the Committee on Governmental Accountability and Fiscal Oversight.

On motion of Senator Richard, the Senate recessed until 4:00 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Romine.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 875**, with **SCS**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 850**, with **SCS**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 731**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

### **MESSAGES FROM THE GOVERNOR**

The following message was received from the Governor, which was read:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
March 25, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Scott T. Rupp, 3107 Bear View Court, Wentzville, Saint Charles County, Missouri 63385, as a member of the Public Service Commission, for a term ending March 25, 2020, and until his successor is duly appointed and qualified; vice, Kevin D. Gunn, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Dempsey referred the above appointment to the Committee on Gubernatorial Appointments.



**SENATE BILLS FOR PERFECTION**

Senator Lager moved that **SRB 714**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SRB 714**, entitled:

An Act to repeal sections 8.305, 21.485, 21.800, 21.801, 21.830, 21.910, 82.291, 105.915, 143.811, 160.254, 160.534, 160.932, 160.933, 167.194, 168.081, 168.083, 171.033, 191.115, 192.105, 196.1035, 197.291, 208.955, 262.950, 301.129, 311.489, 374.776, 376.825, 376.826, 376.827, 376.830, 376.833, 376.836, 383.250, 393.171, 407.485, 443.805, 488.2205, 542.301, 620.602, 630.461, 633.410, 640.850, 650.120, 660.425, 660.430, 660.435, 660.440, 660.445, 660.450, 660.455, 660.460, 660.465, 701.058, and 701.502, RSMo, and to enact in lieu thereof eleven new sections for the sole purpose of repealing expired, ineffective, and obsolete statutory provisions, with a penalty provision.

Was taken up.

Senator Lager moved that **SCS** for **SRB 714** be adopted, which motion prevailed.

On motion of Senator Lager, **SCS** for **SRB 714** was declared perfected and ordered printed.

At the request of Senator Cunningham, **SB 734** was placed on the Informal Calendar.

Senator Parson moved that **SB 693** be taken up for perfection, which motion prevailed.

Senator Sater offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Bill No. 693, Page 11, Section 144.030, Line 361, by inserting at the end of said line the following:

**“The exemption authorized under this subsection shall not apply to the titling of motor vehicles with a sale price over fifteen thousand dollars.”.**

Senator Sater moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Parson, **SB 693**, as amended, was declared perfected and ordered printed.

Senator Kraus moved that **SB 662** be taken up for perfection, which motion prevailed.

On motion of Senator Kraus, **SB 662** was declared perfected and ordered printed.

Senator Dixon moved that **SB 607** be taken up for perfection, which motion prevailed.

On motion of Senator Dixon, **SB 607** was declared perfected and ordered printed.

Senator Chappelle-Nadal moved that **SB 727** be taken up for perfection, which motion prevailed.

Senator Munzlinger offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Bill No. 727, Page 1, In the Title, Lines 2-3, by striking the following: “a sales and use tax exemption for”; and

Further amend said bill, page 2, section 144.527, line 27, by inserting immediately after said line the

following:

**“208.018. 1. Subject to federal approval, the department of social services shall establish a pilot program for the purpose of providing Supplemental Nutrition Assistance Program (SNAP) participants with access and the ability to afford fresh food when purchasing fresh food at farmers’ markets. Under the pilot program, such participants shall be able to:**

**(1) Purchase fresh fruit, vegetables, meat, fish, poultry, eggs, and honey with SNAP benefits with an electronic benefit transfer (EBT) card; and**

**(2) Receive a dollar-for-dollar match for every SNAP dollar spent at a participating farmer’s market or vending urban agricultural zone as defined in section 262.900 in an amount up to ten dollars per week whenever the participant purchases fresh food with an EBT card.**

**2. Purchases of approved fresh food by SNAP participants under this section shall automatically trigger matching funds reimbursement into the vendor accounts by the department.**

**3. The funding of this pilot program shall be subject to appropriation. In addition to appropriations from the general assembly, the department may apply for available grants and shall be able to accept other gifts, grants, and donations to develop and maintain the program.**

**4. The department shall promulgate rules setting forth the procedures and methods of implementing this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.**

**5. Pursuant to section 23.253 of the Missouri sunset act:**

**(1) The provisions of this section shall sunset automatically six years after the effective date of this section unless reauthorized by an act of the general assembly; and**

**(2) If such program is reauthorized, the program authorized under this section shall sunset automatically twelve years after the effective date of the reauthorization of this section; and**

**(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and**

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Chappelle-Nadal, **SB 727**, as amended, was declared perfected and ordered printed.

Senator Brown moved that **SB 716**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS for SB 716**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 716

An Act to amend chapter 197, RSMo, by adding thereto one new section relating to immunizations against influenza.

Was taken up.

Senator Brown moved that **SCS** for **SB 716** be adopted.

Senator Brown offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 716, Page 1, Section 197.168, Line 5, by inserting immediately after the word “physician” the following: “**or other practitioner authorized to order vaccinations or as authorized by physician-approved hospital policies or protocols for influenza vaccinations pursuant to state hospital regulations**”; and further amend line 7, by striking “or” and inserting in lieu thereof the following: “**and**”.

Senator Brown moved that the above amendment be adopted, which motion prevailed.

Senator Brown moved that **SCS** for **SB 716**, as amended, be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **SB 716**, as amended, was declared perfected and ordered printed.

Senator Schaefer moved that **SB 696** be taken up for perfection, which motion prevailed.

On motion of Senator Schaefer, **SB 696** was declared perfected and ordered printed.

Senator Chappelle-Nadal moved that **SB 564**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 564**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 564

An Act to amend chapter 198, RSMo, by adding thereto one new section relating to long-term care facilities.

Was taken up.

Senator Chappelle-Nadal moved that **SCS** for **SB 564** be adopted, which motion prevailed.

On motion of Senator Chappelle-Nadal, **SCS** for **SB 564** was declared perfected and ordered printed.

Senator Wallingford moved that **SB 660** be taken up for perfection, which motion prevailed.

At the request of Senator Wallingford, **SB 660** was placed on the Informal Calendar.

**REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SRB 714**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Richard, the Senate recessed until 8:00 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Kraus.

### **SENATE BILLS FOR PERFECTION**

Senator Kehoe moved that **SB 675**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 675**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 675**

An Act to amend chapter 70, RSMo, by adding thereto one new section relating to the Missouri local government employees' retirement system.

Was taken up.

Senator Kehoe moved that **SCS** for **SB 675** be adopted, which motion prevailed.

On motion of Senator Kehoe, **SCS** for **SB 675** was declared perfected and ordered printed.

Senator Walsh moved that **SB 712**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 712**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 712**

An Act to amend chapter 285, RSMo, by adding thereto ten new sections relating to domestic violence.

Was taken up.

Senator Walsh moved that **SCS** for **SB 712** be adopted.

Senator Libla offered **SA 1**, which was read:

#### **SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for Senate Bill No. 712, Pages 8-9, Section 285.665, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Libla moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Walsh, **SB 712**, with **SCS**, as amended (pending), was placed on the Informal Calendar.

Senator Justus moved that **SB 720**, with **SCS**, be taken up for perfection, which motion prevailed.  
**SCS** for **SB 720**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 720

An Act to repeal section 210.027, RSMo, and to enact in lieu thereof one new section relating to child care businesses.

Was taken up.

Senator Justus moved that **SCS** for **SB 720** be adopted.

Senator Justus offered **SS** for **SCS** for **SB 720**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 720

An Act to repeal section 210.027, RSMo, and to enact in lieu thereof one new section relating to child care providers.

Senator Justus moved that **SS** for **SCS** for **SB 720** be adopted, which motion prevailed.

On motion of Senator Justus, **SS** for **SCS** for **SB 720** was declared perfected and ordered printed.  
**SB 741** was placed on the Informal Calendar.

Senator Wasson moved that **SB 692** be taken up for perfection, which motion prevailed.

Senator Wasson offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 692, Page 1, Section 376.1228, Line 21, by inserting immediately after said line the following:

**“5. The provisions of this section shall not apply to health benefit plans or health carriers regulated under chapter 376 as of January 1, 2014 offering or issuing coverage not exclusively for optometric or ophthalmic services or materials, except contracts entered into by such health benefit plans or health carriers with third parties to provide coverage for optometric or ophthalmic services or materials to plan members or insurance subscribers shall be subject to the provisions of this section.”**; and further amend said section by renumbering the remaining subsection accordingly.

Senator Wasson moved that the above amendment be adopted.

At the request of Senator Wasson, **SB 692**, with **SA 1** (pending), was placed on the Informal Calendar.

**REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS for SB 675; SB 727; SCS for SB 716; SB 696; SB 693; SB 662; SB 607;** and **SCS for SB 564**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### **RESOLUTIONS**

Senator Curls offered Senate Resolution No. 1641, regarding the Ninety-fifth Birthday of Fred A. Curls, Kansas City, which was adopted.

Senator Wasson offered Senate Resolution No. 1642, regarding Pam Chandler, Springfield, which was adopted.

Senator LeVota offered Senate Resolution No. 1643, regarding Russell R. Love, Harrisonville, which was adopted.

Senator LeVota offered Senate Resolution No. 1644, regarding Allan Nance, Branson, which was adopted.

Senator LeVota offered Senate Resolution No. 1645, regarding Don Waddell, Clinton, which was adopted.

Senator LeVota offered Senate Resolution No. 1646, regarding Carl Gilfoy, Gig Harbor, Washington, which was adopted.

Senator LeVota offered Senate Resolution No. 1647, regarding Phillip Hooper, Independence, which was adopted.

### **INTRODUCTIONS OF GUESTS**

On behalf of Senator Sater and himself, Senator Pearce introduced to the Senate, Missouri Beef Queen, Julie Crouch, Benton County; and representatives of the Missouri Cattlemen's Association from Johnson, Pettis, Benton, Cooper, Polk and Dallas counties.

Senator Schaefer introduced to the Senate, fourth grade students from Pilot Grove Elementary School.

Senator Holsman introduced to the Senate, Todd Foltz and Lyla Perrodin, Multiple Sclerosis Society, Kansas City.

Senator Kehoe introduced to the Senate, Antonio Oropeza, Mexico.

Senator LeVota introduced to the Senate, the Physician of the Day, Michael Monaco, M.D., Lee's Summit.

Senator Romine introduced to the Senate, Ahmad Adamu, Nigeria; Robert Simek, Czech Republic; and Carrie Couch, E.J. Jackson and Andrew Engler.

Senator Schaaf introduced to the Senate, Lavelle Rucker and forty students from Central High School, St. Joseph.

Senator Kehoe introduced to the Senate, Mike Hurleth, Tricia Bohler, David Yates, Linda Moen, Bruce Dawson, Anthony Kreutz, Don Hillis and members of Missouri Transportation Construction Coalition.

Senator Dixon introduced to the Senate, SGA President David Schneider and forty students from Missouri State University Student Government Association.

Senator Brown introduced to the Senate, Dylan Bryant, Columbia College.

Senator Pearce introduced to the Senate, Superintendent Scott Patrick, Warrensburg R-VI School District.

On behalf of Senators Keaveny, Chappelle-Nadal and himself, Senator Pearce introduced to the Senate, representatives of Taiwanese Association of America-St. Louis Chapter: Beverly and Charles Tsai, Tai Lin, Tony Su, Raymond Yeh and Wilson Shen.

Senator Emery introduced to the Senate, Jennifer Straw, Emily Lehman and Jessica Johnson, Clinton.

On motion of Senator Richard, the Senate adjourned under the rules.

## SENATE CALENDAR

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FORTIETH DAY–WEDNESDAY, MARCH 26, 2014

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## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 951-Holsman	SB 969-Kehoe
SB 952-Dixon and Sifton	SB 970-Kehoe
SB 953-Nasheed	SB 971-Kehoe
SB 954-Cunningham	SB 972-Kehoe
SB 955-Cunningham	SB 973-Brown
SB 956-Schaaf	SB 974-Rupp
SB 957-Holsman	SB 975-Emery
SB 958-Nieves	SB 976-Emery
SB 959-Curls	SB 977-Schmitt
SB 960-Munzlinger	SB 978-Schmitt
SB 961-Nasheed	SB 979-Schaefer
SB 962-Justus	SB 980-Schaefer
SB 963-Justus	SB 981-Schaefer
SB 964-Lager	SB 982-Schaefer
SB 965-Lager	SB 983-Pearce
SB 966-Lager	SB 984-Sifton
SB 967-Lager	SB 985-Sifton
SB 968-Lager	SB 986-Sifton

SB 987-Lamping	SJR 49-Cunningham
SB 988-Lamping	SJR 50-Lamping
SB 989-Lamping	SJR 51-Lamping
SB 990-Lamping	SJR 52-Lamping
SB 991-Kraus	SJR 53-Lamping
SB 992-Dempsey	SJR 54-Lamping
SB 993-Dempsey	SJR 55-Nieves
SB 994-Dixon	SJR 56-Dixon
SB 995-Sifton	SJR 57-Lager

## HOUSE BILLS ON SECOND READING

HCS for HB 1510	HCS for HB 1296
HCS for HB 1044	HB 1496-Reiboldt, et al
HB 1081-McCaherty, et al	HB 1173-Burlison, et al
HCS for HB 1085	HCS for HB 1426
HB 1126-Dugger and Entlicher	HCS for HRB 1298
HB 1197-Elmer	HCS for HRB 1299
HB 1206-Wilson	HCS for HB 1501
HCS for HB 1217	HCS for HBs 1310 & 1236
HB 1270-Lant, et al	HCS for HB 1261
HB 1301-Neth	HB 1495-Torpey and Hicks
HB 1468-Dohrman, et al	HB 1435-Johnson
HB 1616-Muntzel, et al	HCS for HB 1459
HCS for HB 1079	HCS for HBs 1307 & 1313
HB 1087-Crawford and Franklin	HCS for HB 1192
HB 1141-Love, et al	HB 1271-Molendorp, et al
HCS for HB 1201	HB 1483-Molendorp
HB 1222-Dugger	HB 1086-Gosen
HB 1238-Hinson	HB 1390-Thomson, et al
HB 1361-Gosen and Wieland	HCS for HB 1710
HCS for HB 1376	HCS for HJR 56
HCS for HB 1523	HB 1506-Franklin, et al
HB 1268-Curtman, et al	HB 1388-Cornejo, et al
HB 1092-Lant, et al	HB 1573-Lauer, et al
HCS for HJR 47	HB 1136-Dugger, et al
HB 1073-Dugger, et al	HCS for HB 1156
HB 1110-Rowland	HB 1411-Cross, et al
HB 1359-Flanigan	HCS for HB 1559
HCS for HBs 1646 & 1515	HCS for HB 1902



HCS for HB 1610	HB 1656-Neely and Hurst
HCS for HB 1410	HB 1633-Franklin, et al
HB 1132-Engler, et al	HB 1190-Kelley (127), et al
HCS for HB 1557	HCS for HB 1181
HB 1455-Hoskins and Fraker	HCS for HB 1089
HB 1337-Fitzwater, et al	HCS for HB 1204
HB 1338-Fitzwater, et al	HB 1055-Johnson
HCS for HB 1644	HCS for HB 1090
HB 1532-Spencer and Hicks	HCS for HB 1300
HCS for HB 1391	HB 1504-Zerr
HB 1064-Grisamore	HB 1791-Fitzwater, et al
HB 1442-Dunn, et al	HB 1802-Roorda and McCaherty

### THIRD READING OF SENATE BILLS

- |   |                                    |
|---|------------------------------------|
| 1. SS for SCS for SB 666-Schmitt<br>(In Fiscal Oversight) | 7. SCS for SB 675-Kehoe            |
| 2. SCS for SB 623-Nieves<br>(In Fiscal Oversight)         | 8. SB 727-Chappelle-Nadal          |
| 3. SS for SCS for SB 593-Sater                            | 9. SCS for SB 716-Brown            |
| 4. SS for SB 745-Munzlinger<br>(In Fiscal Oversight)      | 10. SB 696-Schaefer                |
| 5. SCS for SB 731-Nasheed                                 | 11. SB 693-Parson                  |
| 6. SCS for SRB 714-Lager                                  | 12. SB 662-Kraus                   |
|   | 13. SB 607-Dixon                   |
|   | 14. SCS for SB 564-Chappelle-Nadal |

### SENATE BILLS FOR PERFECTION

- |                                       |                             |
|---------------------------------------|-----------------------------|
| 1. SB 601-Holsman                     | 13. SB 674-Kehoe            |
| 2. SB 719-Kehoe                       | 14. SB 644-LeVota           |
| 3. SB 699-Pearce                      | 15. SB 680-Curls, with SCS  |
| 4. SB 767-Schmitt, et al, with SCS    | 16. SB 829-Kraus, with SCS  |
| 5. SB 854-Wasson, with SCS            | 17. SB 584-Dixon            |
| 6. SB 656-Kraus                       | 18. SB 777-Nieves, with SCS |
| 7. SB 599-Kraus, with SCS             | 19. SB 739-Romine, with SCS |
| 8. SB 708-Sifton                      | 20. SB 553-Emery, with SCS  |
| 9. SB 782-Romine                      | 21. SB 707-Wasson, with SCS |
| 10. SB 499-Keaveny                    | 22. SB 785-Kehoe, with SCS  |
| 11. SJR 27-Schaaf and Dixon, with SCS | 23. SB 818-Kehoe            |
| 12. SB 490-Lager and Kehoe, with SCS  |                             |

HOUSE BILLS ON THIRD READING

HB 2014-Stream, with SCS (Schaefer)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SB 691-Wasson

SENATE BILLS FOR PERFECTION

SB 491-Justus and Dixon, with SCS  
(pending)

SB 501-Keaveny

SBs 509 & 496-Kraus, with SCS,  
SS#2 for SCS & SA 1 (pending)

SB 518-Sater, with SCS, SA 2 &  
SA 1 to SA 2 (pending)

SB 519-Sater, with SS & SA 1 (pending)

SS for SB 543-Munzlinger

SB 573-Munzlinger, with SCS

SB 575-Dixon

SB 589-Brown, with SCS, SA 2 &  
SA 1 to SA 2 (pending)

SB 660-Wallingford

SB 663-Munzlinger, with SCS

SB 673-Kehoe and Wallingford, with SA 1  
(pending)

SB 692-Wasson, with SA 1 (pending)

SB 712-Walsh, with SCS (pending)

SB 723-Parson, with SCS & SA 1 (pending)

SB 734-Cunningham

SB 741-Rupp and Parson

SB 790-Dixon, with SA 3 & point of order  
(pending)

SB 814-Brown

SJR 25-Lager

SJR 34-Emery

SJR 42-Schmitt

CONSENT CALENDAR

Senate Bills

Reported 3/13

SB 907-Richard

SB 808-Wasson, with SCS

SB 874-Wasson

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# Journal of the Senate

## SECOND REGULAR SESSION

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**FORTIETH DAY—WEDNESDAY, MARCH 26, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Mortal, I have made you a sentinel for the house of Israel; whenever you hear a word from my mouth, you shall give them warning from me.” (Ezekiel 33:7)

Heavenly Father, You are our strength and redeemer. We vow to proclaim Your saving grace through our lives. Guide our thoughts, words and deeds. Spare us from missing the mark and fill us with the goodness of Your love. May our joy be found in praising You throughout all our days. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Kehoe offered Senate Resolution No. 1648, regarding the One Hundredth Anniversary of Mid America Bank, which was adopted.

Senator Dempsey offered Senate Resolution No. 1649, regarding Dr. John A. Stormer, Troy, which was adopted.

**REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 720**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

**HOUSE BILLS ON THIRD READING**

**HB 2014**, introduced by Representative Stream, with **SCS**, entitled:

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2014.

Was taken up by Senator Schaefer.

**SCS** for **HB 2014**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2014**

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2014.

Was taken up.

Senator Schaefer moved that **SCS** for **HB 2014** be adopted.

Senator Nasheed offered **SA 1**, which was read:

**SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for House Bill No. 2014, Page 11, Section 14.278, Line 4, by deleting the number “\$3,000,000” and inserting in lieu thereof the number “\$6,300,000”; and

Further amend said page, section 14.279, line 3, by deleting the number “\$3,000,000” and inserting in lieu thereof the number “\$6,300,000”; and

Further amend bill totals accordingly.

Senator Nasheed moved that the above amendment be adopted.

Senator Schaefer raised the point of order that **SA 1** is out of order in that it goes above the amount the Governor has provided in his supplemental appropriations bill, as referenced by Article IV, Section 25 of the Constitution.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Schaefer moved that **SCS** for **HB 2014** be adopted.

Senator Nasheed offered **SA 2**, which was read:

#### SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Bill No. 2014, Page 11, Section 14.278, Line 4, by deleting the number “\$3,000,000” and inserting in lieu thereof the number “\$3,500,000”; and

Further amend said page, section 14.279, line 3, by deleting the number “\$3,000,000” and inserting in lieu thereof the number “\$3,500,000”; and

Further amend bill totals accordingly.

Senator Nasheed moved that the above amendment be adopted, which motion failed.

Senator Schaefer moved that **SCS** for **HB 2014** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HB 2014** was read the 3rd time and finally passed by the following vote:

#### YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—31	

#### NAYS—Senators—None

Absent—Senator Walsh—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

#### SENATE BILLS FOR PERFECTION

Senator Wallingford moved that **SB 660** be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Nieves assumed the Chair.

On motion of Senator Wallingford, **SB 660** was declared perfected and ordered printed.

Senator Kehoe moved that **SB 673**, with **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Kehoe, **SA 1** was withdrawn.

Senator Kehoe offered **SS** for **SB 673**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 673

An Act to repeal sections 288.060, 288.122, and 288.330, RSMo, and to enact in lieu thereof three new sections relating to employment security.

Senator Kehoe moved that **SS** for **SB 673** be adopted, which motion prevailed.

On motion of Senator Kehoe, **SS** for **SB 673** was declared perfected and ordered printed.

Senator Holsman moved that **SB 601** be taken up for perfection, which motion prevailed.

Senator Holsman moved that **SB 601** be declared perfected and ordered printed, which motion prevailed on a standing division vote.

**REFERRALS**

President Pro Tem Dempsey referred **SB 696** and **SB 662** to the Committee on Governmental Accountability and Fiscal Oversight.

**SENATE BILLS FOR PERFECTION**

Senator Kehoe moved that **SB 719** be taken up for perfection, which motion prevailed.

On motion of Senator Kehoe, **SB 719** was declared perfected and ordered printed.

Senator Pearce moved that **SB 699** be taken up for perfection, which motion prevailed.

On motion of Senator Pearce, **SB 699** was declared perfected and ordered printed.

Senator Schmitt moved that **SB 767**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 767**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 767

An Act to amend chapter 44, RSMo, by adding thereto one new section relating to the creation of a voluntary registry of persons with health-related ailments to assist individuals in case of a disaster or emergency.

Was taken up.

Senator Schmitt moved that **SCS** for **SB 767** be adopted.

Senator Schmitt offered **SS** for **SCS** for **SB 767**, entitled:

**SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 767**

An Act to amend chapter 44, RSMo, by adding thereto one new section relating to the creation of a voluntary registry of persons with health-related ailments to assist individuals in case of a disaster or emergency.

Senator Schmitt moved that **SS** for **SCS** for **SB 767** be adopted, which motion prevailed.

On motion of Senator Schmitt, **SS** for **SCS** for **SB 767** was declared perfected and ordered printed.

**SB 854**, with **SCS**, was placed on the Informal Calendar.

Senator Kraus moved that **SB 656** be taken up for perfection, which motion prevailed.

On motion of Senator Kraus, **SB 656** was declared perfected and ordered printed.

**SECOND READING OF SENATE BILLS**

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

**SB 951**—General Laws.

**SB 952**—Judiciary and Civil and Criminal Jurisprudence.

**SB 953**—Jobs, Economic Development and Local Government.

**SB 954**—Transportation and Infrastructure.

**SB 955**—Financial and Governmental Organizations and Elections.

**SB 956**—Veterans' Affairs and Health.

**SB 957**—Progress and Development.

**SB 958**—Ways and Means.

**SB 959**—Progress and Development.

**SB 960**—Jobs, Economic Development and Local Government.

**SB 961**—Jobs, Economic Development and Local Government.

**SB 962**—Progress and Development.

**SB 963**—Progress and Development.

**SB 964**—Agriculture, Food Production and Outdoor Resources.

**SB 965**—Commerce, Consumer Protection, Energy and the Environment.

**SB 966**—Rules, Joint Rules, Resolutions and Ethics.

**SB 967**—Jobs, Economic Development and Local Government.

**SB 968**—Commerce, Consumer Protection, Energy and the Environment.

**SB 969**—Small Business, Insurance and Industry.

**SB 970**—Transportation and Infrastructure.

**SB 971**—Judiciary and Civil and Criminal Jurisprudence.

**SB 972**—Judiciary and Civil and Criminal Jurisprudence.

**SB 973**—Seniors, Families and Pensions.

**SB 974**—Veterans' Affairs and Health.

**SB 975**—Judiciary and Civil and Criminal Jurisprudence.

**SB 976**—Judiciary and Civil and Criminal Jurisprudence.

**SB 977**—Veterans' Affairs and Health.

**SB 978**—Judiciary and Civil and Criminal Jurisprudence.

**SB 979**—Small Business, Insurance and Industry.

**SB 980**—Seniors, Families and Pensions.

**SB 981**—Governmental Accountability and Fiscal Oversight.

**SB 982**—Judiciary and Civil and Criminal Jurisprudence.

**SB 983**—Jobs, Economic Development and Local Government.

**SB 984**—Education.

**SB 985**—Judiciary and Civil and Criminal Jurisprudence.

**SB 986**—Financial and Governmental Organizations and Elections.

**SB 987**—Transportation and Infrastructure.

**SB 988**—Financial and Governmental Organizations and Elections.

**SB 989**—Education.

**SB 990**—Seniors, Families and Pensions.

**SB 991**—Jobs, Economic Development and Local Government.

**SB 992**—Rules, Joint Rules, Resolutions and Ethics.

**SB 993**—Education.

**SB 994**—Jobs, Economic Development and Local Government.

**SB 995**—Governmental Accountability and Fiscal Oversight.

**SJR 49**—Ways and Means.



**SJR 50**—Financial and Governmental Organizations and Elections.

**SJR 51**—Rules, Joint Rules, Resolutions and Ethics.

**SJR 52**—Governmental Accountability and Fiscal Oversight.

**SJR 53**—Governmental Accountability and Fiscal Oversight.

**SJR 54**—Rules, Joint Rules, Resolutions and Ethics.

**SJR 55**—Education.

**SJR 56**—Transportation and Infrastructure.

**SJR 57**—Ways and Means.

On motion of Senator Richard, the Senate recessed until 5:00 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Kehoe.

### **RESOLUTIONS**

Senator Munzlinger offered Senate Resolution No. 1650, regarding Mary Perkins, Louisiana, which was adopted.

Senator Cunningham offered Senate Resolution No. 1651, regarding Sergeant Martin K. “Marty” Elmore, Houston, which was adopted.

Senator Parson offered Senate Resolution No. 1652, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Eugene Beckman, Cole Camp, which was adopted.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 601**; **SB 656**; **SB 660**; **SS** for **SB 673**; **SB 699**; **SB 719**; and **SS** for **SCS** for **SB 767**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### **MESSAGES FROM THE HOUSE**

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HB 2014** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

### **PRIVILEGED MOTIONS**

Senator Schaefer moved that the Senate refuse to recede from its position on **SCS** for **HB 2014** and grant

the House a conference thereon, which motion prevailed.

### SENATE BILLS FOR PERFECTION

Senator Kraus moved that **SB 509** and **SB 496**, with **SCS, SS No. 2** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Kraus, **SS No. 2** for **SCS** for **SBs 509** and **496** was withdrawn rendering **SA 1** moot.

Senator Kraus offered **SS No. 3** for **SCS** for **SBs 509** and **496**, entitled:

#### SENATE SUBSTITUTE NO. 3 FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 509 and 496

An Act to repeal sections 143.011, 143.021, and 143.151, RSMo, and to enact in lieu thereof four new sections relating to income taxes.

Senator Kraus moved that **SS No. 3** for **SCS** for **SBs 509** and **496** be adopted.

Senator Lamping offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 3 for Senate Committee Substitute for Senate Bills Nos. 509 and 496, Page 3, Section 143.011, Lines 3-6, by striking all of said lines and inserting in lieu thereof the following: **“effectuate the provisions of this subsection. The bracket for income subject to the top rate of tax shall be eliminated once the top rate of tax has been reduced to five and one-half of a percent.**

**3. Beginning with the 2017 calendar year, the brackets of Missouri taxable income identified in subsection 1 of this section shall be adjusted annually by the percent increase in inflation. The director shall publish such brackets annually beginning on or after October 1, 2016. Modifications to the brackets shall take effect on January first of each calendar year and shall apply to tax years beginning on or after the effective date of the new brackets.**

**4. As used in this section, the following terms mean:**

**(1) “Percent increase in inflation”, the percentage, if any, by which the CPI for the preceding calendar year exceeds the CPI for the year beginning September 1, 2014, and ending August 31, 2015;**

**(2) “CPI for the preceding calendar year”, the average of the CPI as of the close of the twelve month period ending on August thirty-first of such calendar year;**

**(3) “CPI”, the Consumer Price Index for All Urban Consumers for the United States as reported by the Bureau of Labor Statistics, or its successor index.”; and**

Further amend said bill, Pages 3-4, Section 143.021, by striking all of said section and inserting in lieu thereof the following:

**“143.021. Every resident having a taxable income [of less than nine thousand dollars] shall determine his or her tax from [a tax table prescribed by the director of revenue and based upon] the rates provided in**

section 143.011. [The tax table shall be on the basis of one hundred dollar increments of taxable income below nine thousand dollars. The tax provided in the table shall be the amount rounded to the nearest whole dollar by applying the rates in section 143.011 to the taxable income at the midpoint of each increment, except] there shall be no tax on a taxable income of less than one hundred dollars. [Every resident having a taxable income of nine thousand dollars or more shall determine his tax from the rate provided in section 143.011.]”.

Senator Lamping moved that the above amendment be adopted, which motion prevailed.

Senator Kraus moved that **SS No. 3** for **SCS** for **SBs 509** and **496**, as amended, be adopted, which motion prevailed.

On motion of Senator Kraus, **SS No. 3** for **SCS** for **SBs 509** and **496**, as amended, was declared perfected and ordered printed.

Senator Kraus moved that **SB 599**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 599**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 599

An Act to amend chapter 43, RSMo, by adding thereto one new section relating to automated license plate reader systems, with penalty provisions.

Was taken up.

Senator Kraus moved that **SCS** for **SB 599** be adopted.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 599, Page 1, Section 43.385, Line 17, by striking “subsection 4” and inserting in lieu thereof “**subsection 5**”; and further amend line 18, by inserting immediately after said line the following:

**“3. Data collected or retained through the use of an automated license plate reader system by a government entity shall not be shared with a state or federal government entity, except pursuant to:**

**(1) A preservation request under subsection 4 of this section; or**

**(2) A warrant under section 542.271.”**; and further amend said section by renumbering the remaining subsections accordingly; and

Further amend said bill and section, page 2, line 43, by striking “subsection 3” and inserting in lieu thereof “**subsection 4**”.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Holsman offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 599, Page 1, Section 43.385, Line 3, by striking

the words “or fixed”; and

Further amend said bill and section, page 2, line 49 by inserting after all of said line the following:

**“6. No government entity shall use fixed or stationary high-speed cameras as part of an automated license plate reader system to capture license plate data.”; and**

Further renumber the remaining subsections accordingly.

Senator Holsman moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Nieves, Schaaf, Schaefer and Wallingford.

At the request of Senator Kraus, **SB 599**, with **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

### **REFERRALS**

President Pro Tem Dempsey referred **SB 727**; **SB 693**; **SS** for **SCS** for **SB 720**; and **SS** for **SB 673** to the Committee on Governmental Accountability and Fiscal Oversight.

### **INTRODUCTIONS OF GUESTS**

Senator Munzlinger introduced to the Senate, Dr. Chris Halliday and Michelle Mollick, A.T. Still University, Kirksville.

Senator Wallingford introduced to the Senate, Sonny Martin, Eric Hover and Gary Murphy, Southeast Missouri.

Senator Holsman introduced to the Senate, Carla O’Connor, Kansas City.

Senator Schaefer introduced to the Senate, Justin and Bennett Dyer, Columbia; and Bennett was made an honorary page.

Senator Sifton introduced to the Senate, Marilyn and Doug Beck, Affton.

Senator Brown introduced to the Senate, Goldie Spahn, St. Robert.

Senator Walsh introduced to the Senate, Jeff Aboussie, St. Louis; Alise Martiny, Kansas City; and Sean McGarvey, Washington, D.C.

Senator Cunningham introduced to the Senate, Greg Martin and Dan Weimer.

Senator Cunningham introduced to the Senate, Erika Kinder and Andrew Painter.

Senator Richard introduced to the Senate, Advisor Mark Laturner, and students: Rylee Hartwell, Laela Zaidi, Evan Blue, Emma Claybrook, Ashley Nicholson, Audrey Kanon, Kobe Collins and Veronica Wynhausen, Joplin High School.

Senator Brown introduced to the Senate, Gary Stevens and Marilyn Whittle, Rolla.

Senator Holsman introduced to the Senate, Amanda Hamker, Janie Crupper, Luke See, Lauren Lineweber and Joy Ginsburg, Kansas City.

Senator Schaaf introduced to the Senate, teacher Derek Frieling, and students: Cody Keesler, Grayson

Bosworth, Casey Jones, Cheyenne Curley, Kiesha Davis and Chasity Hughes, Lafayette High School, St. Joseph.

Senator Kehoe introduced to the Senate, teachers Laura VanDike and Dayna Limbach, and fourth grade students from Cole County R-5 School District.

Senator Lager introduced to the Senate, students from Maysville R-I School District.

Senator Wallingford introduced to the Senate, seventh and eighth grade students from Immanuel Lutheran School, Perryville.

Senator Pearce introduced to the Senate, Miss America 2008 Kirsten Haglund, Lisa and Josephine Roth, Jessica Stromsdorfer, and Bob and Annie Seal.

Senator Holsman introduced to the Senate, Rosie Davis and Tracy Pruitt, Hickman Mills School District, Kansas City.

Senator Libla introduced to the Senate, Connie Larrew, Poplar Bluff.

Senator Richard introduced to the Senate, students: Julio Basulto, Mary Benanidez, Joseline DeLeon, Juan Garcia, Rudy Gonzalez, Jennifer Mejia, Elizabeth Ordonez and Kathleen Paxtor, Carthage.

Senator Walsh introduced to the Senate, Timothy, Mary and George Peters, Warrenton.

On motion of Senator Richard, the Senate adjourned under the rules.

## SENATE CALENDAR

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FORTY-FIRST DAY—THURSDAY, MARCH 27, 2014

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## FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HCS for HB 1510

HCS for HB 1044

HB 1081-McCaherty, et al

HCS for HB 1085

HB 1126-Dugger and Entlicher

HB 1197-Elmer

HB 1206-Wilson

HCS for HB 1217

HB 1270-Lant, et al

HB 1301-Neth

HB 1468-Dohrman, et al

HB 1616-Muntzel, et al

HCS for HB 1079

HB 1087-Crawford and Franklin

HB 1141-Love, et al

HCS for HB 1201

HB 1222-Dugger

HB 1238-Hinson

HB 1361-Gosen and Wieland

HCS for HB 1376

HCS for HB 1523  
 HB 1268-Curtman, et al  
 HB 1092-Lant, et al  
 HCS for HJR 47  
 HB 1073-Dugger, et al  
 HB 1110-Rowland  
 HB 1359-Flanigan  
 HCS for HBs 1646 & 1515  
 HCS for HB 1296  
 HB 1496-Reiboldt, et al  
 HB 1173-Burlison, et al  
 HCS for HB 1426  
 HCS for HRB 1298  
 HCS for HRB 1299  
 HCS for HB 1501  
 HCS for HBs 1310 & 1236  
 HCS for HB 1261  
 HB 1495-Torpey and Hicks  
 HB 1435-Johnson  
 HCS for HB 1459  
 HCS for HBs 1307 & 1313  
 HCS for HB 1192  
 HB 1271-Molendorp, et al  
 HB 1483-Molendorp  
 HB 1086-Gosen  
 HB 1390-Thomson, et al  
 HCS for HB 1710  
 HCS for HJR 56  
 HB 1506-Franklin, et al  
 HB 1388-Cornejo, et al

HB 1573-Lauer, et al  
 HB 1136-Dugger, et al  
 HCS for HB 1156  
 HB 1411-Cross, et al  
 HCS for HB 1559  
 HCS for HB 1902  
 HCS for HB 1610  
 HCS for HB 1410  
 HB 1132-Engler, et al  
 HCS for HB 1557  
 HB 1455-Hoskins and Fraker  
 HB 1337-Fitzwater, et al  
 HB 1338-Fitzwater, et al  
 HCS for HB 1644  
 HB 1532-Spencer and Hicks  
 HCS for HB 1391  
 HB 1064-Grisamore  
 HB 1442-Dunn, et al  
 HB 1656-Neely and Hurst  
 HB 1633-Franklin, et al  
 HB 1190-Kelley (127), et al  
 HCS for HB 1181  
 HCS for HB 1089  
 HCS for HB 1204  
 HB 1055-Johnson  
 HCS for HB 1090  
 HCS for HB 1300  
 HB 1504-Zerr  
 HB 1791-Fitzwater, et al  
 HB 1802-Roorda and McCaherty

### THIRD READING OF SENATE BILLS

1. SS for SCS for SB 666-Schmitt (In Fiscal Oversight)
2. SCS for SB 623-Nieves (In Fiscal Oversight)
3. SS for SCS for SB 593-Sater
4. SS for SB 745-Munzlinger (In Fiscal Oversight)
5. SCS for SB 731-Nasheed

6. SCS for SRB 714-Lager
7. SCS for SB 675-Kehoe
8. SB 727-Chappelle-Nadal (In Fiscal Oversight)
9. SCS for SB 716-Brown
10. SB 696-Schaefer (In Fiscal Oversight)
11. SB 693-Parson (In Fiscal Oversight)

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|---|---|
| 12. SB 662-Kraus (In Fiscal Oversight)                    | 17. SB 656-Kraus                              |
| 13. SB 607-Dixon  | 18. SB 660-Wallingford                        |
| 14. SCS for SB 564-Chappelle-Nadal                        | 19. SS for SB 673-Kehoe (In Fiscal Oversight) |
| 15. SS for SCS for SB 720-Justus (In<br>Fiscal Oversight) | 20. SB 699-Pearce                             |
| 16. SB 601-Holsman  | 21. SB 719-Kehoe                              |
|   | 22. SS for SCS for SB 767-Schmitt             |

#### SENATE BILLS FOR PERFECTION

- |                                      |                             |
|--------------------------------------|-----------------------------|
| 1. SB 708-Sifton                     | 9. SB 829-Kraus, with SCS   |
| 2. SB 782-Romine                     | 10. SB 584-Dixon            |
| 3. SB 499-Keaveny                    | 11. SB 777-Nieves, with SCS |
| 4. SJR 27-Schaaf and Dixon, with SCS | 12. SB 739-Romine, with SCS |
| 5. SB 490-Lager and Kehoe, with SCS  | 13. SB 553-Emery, with SCS  |
| 6. SB 674-Kehoe                      | 14. SB 707-Wasson, with SCS |
| 7. SB 644-LeVota                     | 15. SB 785-Kehoe, with SCS  |
| 8. SB 680-Curls, with SCS            | 16. SB 818-Kehoe            |

#### INFORMAL CALENDAR

#### THIRD READING OF SENATE BILLS

SS for SB 691-Wasson

#### SENATE BILLS FOR PERFECTION

- |  |   |
|--|---|
| SB 491-Justus and Dixon, with SCS<br>(pending)           | SB 692-Wasson, with SA 1 (pending)                    |
| SB 501-Keaveny   | SB 712-Walsh, with SCS (pending)                      |
| SB 518-Sater, with SCS, SA 2 & SA 1 to<br>SA 2 (pending) | SB 723-Parson, with SCS & SA 1 (pending)              |
| SB 519-Sater, with SS & SA 1 (pending)                   | SB 734-Cunningham                                     |
| SS for SB 543-Munzlinger                                 | SB 741-Rupp and Parson                                |
| SB 573-Munzlinger, with SCS                              | SB 790-Dixon, with SA 3 & point of order<br>(pending) |
| SB 575-Dixon   | SB 814-Brown  |
| SB 589-Brown, with SCS, SA 2 & SA 1 to<br>SA 2 (pending) | SB 854-Wasson, with SCS                               |
| SB 599-Kraus, with SCS & SA 2 (pending)                  | SJR 25-Lager  |
| SB 663-Munzlinger, with SCS                              | SJR 34-Emery  |
|  | SJR 42-Schmitt  |

CONSENT CALENDAR

Senate Bills

Reported 3/13

SB 907-Richard

SB 874-Wasson

SB 808-Wasson, with SCS

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

In Conference

HB 2014-Stream, with SCS (Schaefer)

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# Journal of the Senate

## SECOND REGULAR SESSION

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**FORTY-FIRST DAY—THURSDAY, MARCH 27, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“See, the Lord’s hand is not too short to save, nor his ear to dull to hear.” (Isaiah 59:1)

O God, our hearts are continually in need for You to hear our prayers, to feel Your healing touch, and to return continually to You, Our God. As we leave this day, we pray You will watch our “going out and coming in” bringing us safely home to loved ones and to join them in Your house of prayer. May we jointly offer our voices and hearts to You and sing Your praise in thanksgiving and joy. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Munzlinger offered Senate Resolution No. 1653, regarding Kent and Debbie Adams, Louisiana, which was adopted.

Senator Cunningham offered Senate Resolution No. 1654, regarding Nathen Wright, Mansfield, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1655, regarding the One Hundred Twenty-fifth Anniversary of the First Baptist Church, Wyaconda, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1656, regarding the Missouri State Beta Club, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1657, regarding Drake Nilges, Bourbon, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1658, regarding Mason Douglas, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1659, regarding Lindsey Young, Bloomfield, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1660, regarding Kendra Elder, Bloomfield, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1661, regarding Kannon Qualls, Richland, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1662, regarding Darren Green, Malden, which was adopted.

Senator Parson offered Senate Resolution No. 1663, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Richard Leroy Cannon, Buffalo, which was adopted.

Senator Parson offered Senate Resolution No. 1664, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Hubert Highfill, Fair Grove, which was adopted.

**MESSAGES FROM THE GOVERNOR**

The following message was received from the Governor, which was read:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
March 26, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment to office made by me and submitted to you on March 18, 2014, for your advice and consent:

Melba Curls, Democrat, 3832 Myrtle Avenue, Kansas City, Jackson County, Missouri 64128, as a member of the Missouri Real Estate Appraisers Commission, for a term ending September 12, 2014, and until her successor is duly appointed and

qualified; vice, Hope Whitehead, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Dempsey moved that the above appointment be returned to the Governor per his request, which motion prevailed.

### **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointment, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Deborah White, as a member of the Child Abuse and Neglect Review Board;

Also,

Kelly L. Kochanski, as the student representative of the Truman State University Board of Governors;

Also,

David Gatto, as a member of the Advisory Commission for Physician Assistants;

Also,

John McGuire, as a member of the Midwestern Higher Education Commission;

Also,

Kyle E. Brost, as a member of the State Board of Optometry;

Also,

David E. Tannehill, Independent, as a member of the State Board of Registration for the Healing Arts;

Also,

Jennifer Morgan, as a member of the Board of Therapeutic Massage; and

Joel P. Rhodes, as a member of the State Historical Records Advisory Board.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointment, which motion prevailed.

Senator Pearce assumed the Chair.

### **REFERRALS**

President Pro Tem Dempsey re-referred **SB 957** to the Committee on General Laws.

**REPORTS OF STANDING COMMITTEES**

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SCS** for **SB 623**; **SS** for **SB 745**; **SB 696**; and **SB 662**, begs leave to report that it has considered the same and recommends that the bills do pass.

**SENATE BILLS FOR PERFECTION**

Senator Parson moved that **SB 723**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 1** was again taken up.

At the request of Senator Schaaf, the above amendment was withdrawn.

Senator Schmitt assumed the Chair.

Senator Schaaf requested a roll call vote be taken on the perfection of **SCS** for **SB 723** and was joined in his request by Senators Parson, Richard, Emery and Lamping.

Senator Parson moved that **SCS** for **SB 723** be adopted, which motion prevailed.

On motion of Senator Parson, **SCS** for **SB 723** was declared perfected and ordered printed by the following vote:

**YEAS—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Lager	LeVota	Libla	Munzlinger	Nasheed	Parson
Pearce	Richard	Romine	Rupp	Sater	Sifton	Silvey	Wallingford
Walsh	Wasson—26						

**NAYS—Senators**

Emery	Kraus	Lamping	Nieves	Schaaf	Schaefer	Schmitt—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

**THIRD READING OF SENATE BILLS**

**SS** for **SB 691**, introduced by Senator Wasson, entitled:

**SENATE SUBSTITUTE FOR  
SENATE BILL NO. 691**

An Act to amend chapter 379, RSMo, by adding thereto one new section relating to sinkhole insurance coverage for property damage caused by sinkhole activity.

Was called from the Informal Calendar and taken up.

On motion of Senator Wasson, **SS** for **SB 691** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 623**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 623

An Act to repeal sections 115.225 and 115.237, RSMo, and to enact in lieu thereof four new sections relating to elections.

Was taken up by Senator Nieves.

On motion of Senator Nieves, **SCS** for **SB 623** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Silvey	Wallingford	Wasson—22		

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Pearce
Schmitt	Sifton	Walsh—11					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Nieves, title to the bill was agreed to.

Senator Nieves moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS** for **SCS** for **SB 593**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 593

An Act to repeal section 115.124, RSMo, and to enact in lieu thereof two new sections relating to nonpartisan elections.

Was taken up by Senator Sater.

On motion of Senator Sater, **SS** for **SCS** for **SB 593** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators

LeVota            Sifton—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS** for **SB 745**, introduced by Senator Munzlinger, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 745

An Act to repeal sections 57.015, 57.201, 57.220, 57.250, 221.105, 488.5026, 544.216, 571.030,

571.101, 571.104, 571.111, and 650.350, RSMo, and to enact in lieu thereof twelve new sections relating to operations of the office of sheriff, with an existing penalty provision and an emergency clause for certain sections.

Was taken up.

On motion of Senator Munzlinger, **SS** for **SB 745** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator Justus—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator Justus—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 731**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 731

An Act to repeal sections 82.1025, 82.1027, 82.1028, 82.1029, and 82.1030, RSMo, and to enact in lieu thereof six new sections relating to property regulations in certain cities and counties.

Was taken up by Senator Nasheed.

On motion of Senator Nasheed, **SCS** for **SB 731** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lamping	LeVota	Libla	Munzlinger	Nasheed
Parson	Pearce	Richard	Romine	Schaefer	Schmitt	Sifton	Silvey
Wallingford	Walsh	Wasson—27					

NAYS—Senators

Kraus	Lager	Nieves	Rupp	Sater	Schaaf—6
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Nasheed, title to the bill was agreed to.

Senator Nasheed moved that the vote by which the bill passed be reconsidered.

Senator Schaaf moved that motion lay on the table, which motion prevailed.

**SCS** for **SRB 714**, entitled:

REVISION  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 714

An Act to repeal sections 8.305, 21.485, 21.800, 21.801, 21.830, 21.910, 82.291, 105.915, 143.811, 160.254, 160.534, 160.932, 160.933, 167.194, 168.081, 168.083, 171.033, 191.115, 192.105, 196.1035, 197.291, 208.955, 262.950, 301.129, 311.489, 374.776, 376.825, 376.826, 376.827, 376.830, 376.833, 376.836, 383.250, 393.171, 407.485, 443.805, 488.2205, 542.301, 620.602, 630.461, 633.410, 640.850, 650.120, 660.425, 660.430, 660.435, 660.440, 660.445, 660.450, 660.455, 660.460, 660.465, 701.058, and 701.502, RSMo, and to enact in lieu thereof eleven new sections for the sole purpose of repealing expired, ineffective, and obsolete statutory provisions, with a penalty provision.

Was taken up by Senator Lager.

On motion of Senator Lager, **SCS** for **SRB 714** was read the 3rd time and passed by the following vote:



YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 675**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 675

An Act to amend chapter 70, RSMo, by adding thereto one new section relating to the Missouri local government employees' retirement system.

Was taken up by Senator Kehoe.

On motion of Senator Kehoe, **SCS** for **SB 675** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 716**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 716

An Act to amend chapter 197, RSMo, by adding thereto one new section relating to immunizations against influenza.

Was taken up by Senator Brown.

On motion of Senator Brown, **SCS** for **SB 716** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 696**, introduced by Senator Schaefer, entitled:

An Act to repeal section 304.351, RSMo, and to enact in lieu thereof one new section relating to fines for failing to yield the right-of-way, with penalty provisions.

Was taken up.

On motion of Senator Schaefer, **SB 696** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 662**, introduced by Senator Kraus, entitled:

An Act to repeal section 144.021, RSMo, and to enact in lieu thereof one new section relating to notice of sales tax modifications.

Was taken up.

On motion of Senator Kraus, **SB 662** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 607**, introduced by Senator Dixon, entitled:

An Act to repeal section 94.579, RSMo, and to enact in lieu thereof one new section relating to a sales tax for public safety.

Was taken up.

On motion of Senator Dixon, **SB 607** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 564**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 564

An Act to amend chapter 198, RSMo, by adding thereto one new section relating to long-term care facilities.

Was taken up by Senator Chappelle-Nadal.

On motion of Senator Chappelle-Nadal, **SCS** for **SB 564** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Chappelle-Nadal, title to the bill was agreed to.

Senator Chappelle-Nadal moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 601**, introduced by Senator Holsman, entitled:

An Act to repeal section 143.121, RSMo, and to enact in lieu thereof one new section relating to an income tax deduction for energy efficiency projects.

Was taken up.

On motion of Senator Holsman, **SB 601** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Chappelle-Nadal—1

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Holsman, title to the bill was agreed to.

Senator Holsman moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Kraus moved that **SB 656** be taken up for 3rd reading and final passage, which motion prevailed on a standing division vote.

**SB 656**, introduced by Senator Kraus, entitled:

An Act to repeal section 571.111, RSMo, and to enact in lieu thereof one new section relating to training requirements for a concealed carry permit, with existing penalty provisions.

Was taken up.

On motion of Senator Kraus, **SB 656** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senators

Justus	Keaveny	Nasheed—3
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Absent—Senators

Dempsey	Rupp—2
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Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Lager assumed the Chair.

**SB 660**, introduced by Senator Wallingford, entitled:

An Act to amend chapter 197, RSMo, by adding thereto one new section relating to public funding for family planning.

Was taken up.

On motion of Senator Wallingford, **SB 660** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—24

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	Walsh—7
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Absent—Senators

Nasheed	Rupp—2
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Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 699**, introduced by Senator Pearce, entitled:

An Act to repeal sections 173.030 and 174.450, RSMo, and to enact in lieu thereof two new sections relating to state authorization of reciprocity agreements for distance education.

Was taken up.

On motion of Senator Pearce, **SB 699** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 719**, introduced by Senator Kehoe, entitled:

An Act to repeal sections 105.454 and 171.181, RSMo, and to enact in lieu thereof two new sections relating to school purchases, with existing penalty provisions.

Was taken up.

On motion of Senator Kehoe, **SB 719** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
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Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS for SCS for SB 767**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 767

An Act to amend chapter 44, RSMo, by adding thereto one new section relating to the creation of a voluntary registry of persons with health-related ailments to assist individuals in case of a disaster or emergency.

Was taken up by Senator Schmitt.

On motion of Senator Schmitt, **SS for SCS for SB 767** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.



Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Schaefer moved that motion lay on the table, which motion prevailed.

**SB 907**, introduced by Senator Richard, entitled:

An Act to repeal section 165.011, RSMo, and to enact in lieu thereof one new section relating to safety-related capital projects for schools.

Was called from the Consent Calendar and taken up.

On motion of Senator Richard, **SB 907** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Richard, title to the bill was agreed to.

Senator Richard moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 808**, with **SCS**, introduced by Senator Wasson, entitled:

An Act to repeal section 337.643, RSMo, and to enact in lieu thereof one new section relating to master social work practice.

Was called from the Consent Calendar and taken up.

**SCS** for **SB 808**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 808

An Act to repeal sections 337.615, 337.643, and 337.645, RSMo, and to enact in lieu thereof three new sections relating to social work practice.

Was taken up.

Senator Wasson moved that **SCS** for **SB 808** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **SB 808** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 874**, introduced by Senator Wasson, entitled:

An Act to repeal sections 354.465, 375.1250, 375.1252, 375.1255, 375.1257, 375.1260, 375.1262, 375.1265, 375.1267, 375.1269, 375.1270, 375.1272, and 375.1275, RSMo, and to enact in lieu thereof thirteen new sections relating to life and health insurance risk based capital.

Was taken up.

On motion of Senator Wasson, **SB 874** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following Conference Committee to act with a like committee from the Senate on **SCS** for **HB 2014**. Representatives: Stream, Flanigan, and Monticello.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1320**, entitled:

An Act to repeal sections 191.918 and 494.430, RSMo, and to enact in lieu thereof two new sections relating to breast-feeding.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2001**, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, and Fourth State Building Bond and Interest Fund, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds of these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2002**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri,

and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that the Department of Elementary and Secondary Education shall employ no more than 808.34 full-time equivalent employees (FTE) from the General Revenue Fund, 850.67 FTE from federal funds, and 16.83 FTE from all other funds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2003**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds shall be expended at public institutions of higher education that offer a tuition rate to an unlawfully present covered student pursuant to 173.110, RSMo, that is less than the tuition rate charged to citizens or nationals of the United States whose residence is not in Missouri, and further provided that the Department of Higher Education shall employ no more than 14.88 full-time equivalent employees (FTE) from the General Revenue Fund, 1.49 FTE from federal funds, and 64.02 FTE from all other funds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2004**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that the Department of Revenue shall employ no more than 939.03 full-time equivalent employees (FTE) from the General Revenue Fund, 6.67 FTE from federal funds, and 416.58 FTE from all other funds, and further provided that the Department of Transportation shall employ no more than zero full-time equivalent employees (FTE) from the General Revenue Fund, 15.26 FTE from federal funds, and 5,582.08 FTE from all other funds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2005**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that the Office of Administration shall employ no more than 652.76 full-time equivalent employees (FTE) from the General Revenue Fund, 332.50 FTE from federal funds, and 937.89 FTE from all other funds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2006**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that the Department of Agriculture shall employ no more than 88.25 full-time equivalent employees (FTE) from the General Revenue Fund, 34.26 FTE from federal funds, and 298.74 FTE from all other funds, and further provided that the Department of Natural Resources shall employ no more than 134.84 full-time equivalent employees (FTE) from the General Revenue Fund, 388.35 FTE from federal funds, and 1,164.88 FTE from all other funds, and further provided that the Department of Conservation shall employ no full-time equivalent employees (FTE) from the General Revenue Fund or Federal Funds, and no more than 1,794.68 FTE from the Conservation Commission Fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2007**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that the Department of Economic Development shall employ no more than 72.66 full-time equivalent employees (FTE) from the General Revenue Fund, 571.04 FTE from federal funds, and 296.55 FTE from all other funds, and further provided that the Department of Insurance, Financial Institutions and Professional Registration shall employ no more than zero full-time equivalent employees (FTE) from the General Revenue Fund, 20.79 FTE from federal funds, and 559.68 FTE from all other funds, and further provided that the Department of Labor and Industrial Relations shall employ no more than 28.62 full-time equivalent employees (FTE) from the General Revenue Fund, 596.85 FTE from federal funds, and 192.33 FTE from all other funds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2008**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that the Department of Public Safety shall employ no more than 475.02 full-time equivalent employees (FTE) from the General Revenue Fund, 434.44 FTE from federal funds, and 4,071.92 FTE from all other funds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2009**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that the Department of Corrections shall employ no more than 10,852.83

full-time equivalent employees (FTE) from the General Revenue Fund, 44.06 FTE from federal funds, and 250.87 FTE from all other funds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2010**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that the Department of Mental Health shall employ no more than 4,878.20 full-time equivalent employees (FTE) from the General Revenue Fund, 2,414.03 FTE from federal funds, and 85.21 FTE from all other funds, and further provided that the Department of Health and Senior Services shall employ no more than 654.09 full-time equivalent employees (FTE) from the General Revenue Fund, 972.13 FTE from federal funds, and 125.25 FTE from all other funds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

President Pro Tem Dempsey assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 846**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 628**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 812**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was

referred **SB 729**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 774**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 723** and **SS No. 3** for **SCS** for **SBs 509** and **496**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 555**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 28**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE CONCURRENT RESOLUTION NO. 28

WHEREAS, the state of Missouri maintains and values its relationship with the Republic of China (Taiwan); and

WHEREAS, April 10, 2014, will mark the 35<sup>th</sup> anniversary of the enactment of the Taiwan Relations Act, which encourages continued commercial and cultural relations between the people of the United States and the people of Taiwan; and

WHEREAS, Taiwan was the 10th largest import partner and the 21st largest export partner of the state of Missouri in 2013; and

WHEREAS, Taiwan and the United States resumed negotiation under the Trade and Investment Framework Agreement in March, 2013, after a five-year hiatus; and

WHEREAS, a Bilateral Investment Agreement gives investors in both economies greater assurance that the capital they are putting at risk in each other's market will be adequately protected; and

WHEREAS, the United States has already concluded, or is seeking to negotiate, bilateral investment agreements with nine of its top ten trading partners, and Taiwan is the sole exception; and

WHEREAS, opening negotiations for a BIA between the United States and Taiwan will provide more stability for strong two-way investment ties; and

WHEREAS, Taiwan hopes to work via regional economic bodies to further develop bilateral and multilateral trade with the United States and other nations in the Asia-Pacific region, seeking to join the United States-led Trans-Pacific Partnership; and

WHEREAS, Taiwan and the People's Republic of China (mainland) signed a landmark trade agreement, the Economic Cooperation Framework Agreement in 2010. This trade agreement has opened up immense opportunities for Taiwan investors, including those who are from the state of Missouri and in mainland China, and continues to expand to provide additional benefits:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby support the resumption of the Trade and Investment Framework Agreement talks between the United States and Taiwan; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this



resolution for the United States Secretary of State, each member of the Missouri Congressional delegation, and the Director-General of the Taipei Economic and Cultural Office in Kansas City.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 33**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 36**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 37**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 40**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 4**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 850**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 892**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 809**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 706**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 500**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 695**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SJR 26**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following report:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SB 890**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, Senator Richard submitted the following report:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 754**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lager assumed the Chair.

### MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2011**, entitled:

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that the Department of Social Services shall employ no more than 1,753.87 full-time equivalent (FTE) employees from the General Revenue Fund, 4,658.30 FTE from federal funds, and 479.28 FTE from all other funds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

**HOUSE BILLS ON SECOND READING**

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

**HCS for HB 1510**—Veterans' Affairs and Health.

**HCS for HB 1044**—Seniors, Families and Pensions.

**HB 1081**—Governmental Accountability and Fiscal Oversight.

**HCS for HB 1085**—Jobs, Economic Development and Local Government.

**HB 1126**—Financial and Governmental Organizations and Elections.

**HB 1197**—General Laws.

**HB 1206**—Education.

**HCS for HB 1217**—Seniors, Families and Pensions.

**HB 1270**—Financial and Governmental Organizations and Elections.

**HB 1301**—Seniors, Families and Pensions.

**HB 1468**—Small Business, Insurance and Industry.

**HB 1616**—Jobs, Economic Development and Local Government.

**HCS for HB 1079**—Small Business, Insurance and Industry.

**HB 1087**—Transportation and Infrastructure.

**HB 1141**—Transportation and Infrastructure.

**HCS for HB 1201**—Commerce, Consumer Protection, Energy and the Environment.

**HB 1222**—Transportation and Infrastructure.

**HB 1238**—Judiciary and Civil and Criminal Jurisprudence.

**HB 1361**—Small Business, Insurance and Industry.

**HCS for HB 1376**—Financial and Governmental Organizations and Elections.

**HCS for HB 1523**—Financial and Governmental Organizations and Elections.

**HB 1268**—Ways and Means.

**HB 1092**—Seniors, Families and Pensions.

**HCS for HJR 47**—Financial and Governmental Organizations and Elections.

**HB 1073**—Financial and Governmental Organizations and Elections.

**HB 1110**—Transportation and Infrastructure.

**HB 1359**—Governmental Accountability and Fiscal Oversight.

**HCS for HBs 1646 & 1515**—Jobs, Economic Development and Local Government.

**HCS for HB 1296**—Ways and Means.

**HB 1496**—Agriculture, Food Production and Outdoor Resources.

**HB 1173**—Small Business, Insurance and Industry.

**HCS for HB 1426**—Jobs, Economic Development and Local Government.

**HCS for HRB 1298**—Governmental Accountability and Fiscal Oversight.

**HCS for HRB 1299**—Governmental Accountability and Fiscal Oversight.

**HCS for HB 1501**—Jobs, Economic Development and Local Government.

**HCS for HBs 1310 & 1236**—Jobs, Economic Development and Local Government.

**HCS for HB 1261**—Transportation and Infrastructure.

**HB 1495**—Jobs, Economic Development and Local Government.

**HB 1435**—Agriculture, Food Production and Outdoor Resources.

**HCS for HB 1459**—Jobs, Economic Development and Local Government.

**HCS for HBs 1307 & 1313**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HB 1192**—Judiciary and Civil and Criminal Jurisprudence.

**HB 1271**—Small Business, Insurance and Industry.

**HB 1483**—Veterans' Affairs and Health.

**HB 1086**—Financial and Governmental Organizations and Elections.

**HB 1390**—Education.

**HCS for HB 1710**—Ways and Means.

**HCS for HJR 56**—Seniors, Families and Pensions.

**HB 1506**—Agriculture, Food Production and Outdoor Resources.

**HB 1388**—Judiciary and Civil and Criminal Jurisprudence.

**HB 1573**—Commerce, Consumer Protection, Energy and the Environment.

**HB 1136**—Financial and Governmental Organizations and Elections.

**HCS for HB 1156**—Seniors, Families and Pensions.

**HB 1411**—Financial and Governmental Organizations and Elections.

**HCS for HB 1559**—Jobs, Economic Development and Local Government.

**HCS for HB 1902**—Financial and Governmental Organizations and Elections.

**HCS for HB 1610**—Transportation and Infrastructure.

**HCS for HB 1410**—Judiciary and Civil and Criminal Jurisprudence.

**HB 1132**—Jobs, Economic Development and Local Government.

**HCS for HB 1557**—Judiciary and Civil and Criminal Jurisprudence.

**HB 1455**—Ways and Means.

**HB 1337**—Transportation and Infrastructure.

**HB 1338**—Transportation and Infrastructure.

**HCS for HB 1644**—Transportation and Infrastructure.

**HB 1532**—General Laws.

**HCS for HB 1391**—Agriculture, Food Production and Outdoor Resources.

**HB 1064**—Seniors, Families and Pensions.

**HB 1442**—General Laws.

**HB 1656**—Veterans' Affairs and Health.

**HB 1633**—Governmental Accountability and Fiscal Oversight.

**HB 1190**—Transportation and Infrastructure.

**HCS for HB 1181**—Governmental Accountability and Fiscal Oversight.

**HCS for HB 1089**—Jobs, Economic Development and Local Government.

**HCS for HB 1204**—General Laws.

**HB 1055**—Jobs, Economic Development and Local Government.

**HCS for HB 1090**—Governmental Accountability and Fiscal Oversight.

**HCS for HB 1300**—Financial and Governmental Organizations and Elections.

**HB 1504**—Jobs, Economic Development and Local Government.

**HB 1791**—Governmental Accountability and Fiscal Oversight.

**HB 1802**—Transportation and Infrastructure.

#### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS for HB 2014**: Senators Schaefer, Brown, Silvey, Curls and Walsh.

#### **COMMUNICATIONS**

President Pro Tem Dempsey submitted the following:

March 27, 2014

Terry Spieler  
Secretary of the Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler,

Please be advised of the following changes to Senate Standing Committee appointments effective April 4, 2014:

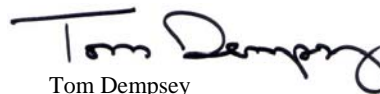
Senator Silvey as Vice-Chair of Appropriations

Senator Parson as Chair of Small Business, Insurance and Industry

Senator Cunningham as Chair of Governmental Accountability and Fiscal Oversight

Please do not hesitate to contact me should you have any questions.

Sincerely,



Tom Dempsey

## **RESOLUTIONS**

Senator Brown offered Senate Resolution No. 1665, regarding Louis B. Brother, which was adopted.

Senator Brown offered Senate Resolution No. 1666, regarding the University of Missouri Extension in Phelps County, which was adopted.

Senator Schmitt offered Senate Resolution No. 1667, regarding Guy Alvin Thompson, Saint Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 1668, regarding Charles Wiet, Saint Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 1669, regarding Leonard Mayo, Jr., Saint Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 1670, regarding Edward Joseph Martin, Saint Louis, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1671, regarding Virgil Petcu, Saint Louis, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1672, regarding Dr. Austin Fred Montgomery, Saint Louis, which was adopted.

## **INTRODUCTIONS OF GUESTS**

Senator Schaaf introduced to the Senate, Kellen Dunn, Jefferson City; and Kellen was made an honorary page.

Senator Parson introduced to the Senate, teachers Jane Grindley and Mary Meehan, and fourth and

eighth grade students from Pettis County R-XII School, Sedalia.

Senator Kehoe introduced to the Senate, parents and teachers: Kim Pragman, Heather Dixon, Aimee Schmidt, Sheri Holland, Barb Beel and Debbie Muenks, and one hundred fourth grade students from Blair Oaks Elementary School, Wardsville.

Senator Chappelle-Nadal introduced to the Senate, Bryce Sieveking and Jessica Moses, St. Louis.

Senator Wallingford introduced to the Senate, Zech Payne, Sue Rees, Sydney Dzurny, Eddy Connell and Blake Tiemann, seventh grade students from Nell Holcomb, Cape Girardeau.

Senator Schaefer introduced to the Senate, Mary Cate and Jake Swain, Columbia; and Mary Cate and Jake were made honorary pages.

Senator Dempsey introduced to the Senate, teachers Chip Crow and Kim Coil, and students from Francis Howell North High School.

On motion of Senator Richard the Senate adjourned until 8:00 a.m., Friday, March 28, 2014.

#### SENATE CALENDAR

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FORTY-SECOND DAY–FRIDAY, MARCH 28, 2014

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#### FORMAL CALENDAR

#### HOUSE BILLS ON SECOND READING

HB 1320-Ellinger, et al	HCS for HB 2006
HCS for HB 2001	HCS for HB 2007
HCS for HB 2002	HCS for HB 2008
HCS for HB 2003	HCS for HB 2009
HCS for HB 2004	HCS for HB 2010
HCS for HB 2005	HCS for HB 2011

#### THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt (In Fiscal Oversight)	SS for SCS for SB 720-Justus (In Fiscal Oversight)
SB 727-Chappelle-Nadal (In Fiscal Oversight)	SS for SB 673-Kehoe (In Fiscal Oversight)
SB 693-Parson (In Fiscal Oversight)	SCS for SB 723-Parson
	SS#3 for SCS for SBs 509 & 496-Kraus

## SENATE BILLS FOR PERFECTION

- |                                      |   |
|--------------------------------------|---|
| 1. SB 708-Sifton                     | 17. SB 846-Richard                          |
| 2. SB 782-Romine                     | 18. SB 628-Schaaf                           |
| 3. SB 499-Keaveny                    | 19. SB 812-Parson                           |
| 4. SJR 27-Schaaf and Dixon, with SCS | 20. SB 729-Romine, with SCS                 |
| 5. SB 490-Lager and Kehoe, with SCS  | 21. SB 774-Dempsey, with SCS                |
| 6. SB 674-Kehoe                      | 22. SB 555-Nasheed                          |
| 7. SB 644-LeVota                     | 23. SB 850-Munzlinger and Holsman, with SCS |
| 8. SB 680-Curls, with SCS            | 24. SB 892-Kraus, with SCS                  |
| 9. SB 829-Kraus, with SCS            | 25. SB 809-Wasson, with SCS                 |
| 10. SB 584-Dixon                     | 26. SB 706-Cunningham, with SCS             |
| 11. SB 777-Nieves, with SCS          | 27. SB 500-Keaveny                          |
| 12. SB 739-Romine, with SCS          | 28. SB 695-Keaveny                          |
| 13. SB 553-Emery, with SCS           | 29. SJR 26-Lager                            |
| 14. SB 707-Wasson, with SCS          | 30. SB 890-Kehoe                            |
| 15. SB 785-Kehoe, with SCS           | 31. SB 754-Sater and Justus                 |
| 16. SB 818-Kehoe                     |   |

## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

- |  |   |
|--|---|
| SB 491-Justus and Dixon, with SCS (pending)              | SB 692-Wasson, with SA 1 (pending)                    |
| SB 501-Keaveny   | SB 712-Walsh, with SCS (pending)                      |
| SB 518-Sater, with SCS, SA 2 & SA 1 to<br>SA 2 (pending) | SB 734-Cunningham                                     |
| SB 519-Sater, with SS & SA 1 (pending)                   | SB 741-Rupp and Parson                                |
| SS for SB 543-Munzlinger                                 | SB 790-Dixon, with SA 3 & point of order<br>(pending) |
| SB 573-Munzlinger, with SCS                              | SB 814-Brown  |
| SB 575-Dixon   | SB 854-Wasson, with SCS                               |
| SB 589-Brown, with SCS, SA 2 & SA 1 to<br>SA 2 (pending) | SJR 25-Lager  |
| SB 599-Kraus, with SCS & SA 2 (pending)                  | SJR 34-Emery  |
| SB 663-Munzlinger, with SCS                              | SJR 42-Schmitt  |

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

## In Conference

HB 2014-Stream, with SCS (Schaefer)



RESOLUTIONS

Reported from Committee

SCR 28-Pearce, et al, with SCS  
SCR 33-Wallingford  
SCR 36-Wasson

SCR 37-Kehoe  
SCR 40-Lager  
HCR 4-English, et al

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# Journal of the Senate

SECOND REGULAR SESSION

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**FORTY-SECOND DAY—FRIDAY, MARCH 28, 2014**

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The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

## **HOUSE BILLS ON SECOND READING**

At the request of President Pro Tem Dempsey, the following Bill was read the 2nd time and referred by Senator Kehoe to the Committee indicated:

**HB 1320**—Judiciary and Civil and Criminal Jurisprudence.

## **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2012**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2014 and ending June 30, 2015.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2013**, entitled:

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, March 31, 2014.

## SENATE CALENDAR

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FORTY-THIRD DAY-MONDAY, MARCH 31, 2014

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## FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HCS for HB 2001  
HCS for HB 2002  
HCS for HB 2003  
HCS for HB 2004  
HCS for HB 2005  
HCS for HB 2006  
HCS for HB 2007

HCS for HB 2008  
HCS for HB 2009  
HCS for HB 2010  
HCS for HB 2011  
HCS for HB 2012  
HCS for HB 2013

### THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt  
(In Fiscal Oversight)  
SB 727-Chappelle-Nadal (In Fiscal Oversight)  
SB 693-Parson (In Fiscal Oversight)

SS for SCS for SB 720-Justus  
(In Fiscal Oversight)  
SS for SB 673-Kehoe  
(In Fiscal Oversight)

SCS for SB 723-Parson

SS#3 for SCS for SBs 509 & 496-Kraus

SENATE BILLS FOR PERFECTION

- |                                      |   |
|--------------------------------------|---|
| 1. SB 708-Sifton                     | 17. SB 846-Richard                          |
| 2. SB 782-Romine                     | 18. SB 628-Schaaf                           |
| 3. SB 499-Keaveny                    | 19. SB 812-Parson                           |
| 4. SJR 27-Schaaf and Dixon, with SCS | 20. SB 729-Romine, with SCS                 |
| 5. SB 490-Lager and Kehoe, with SCS  | 21. SB 774-Dempsey, with SCS                |
| 6. SB 674-Kehoe                      | 22. SB 555-Nasheed                          |
| 7. SB 644-LeVota                     | 23. SB 850-Munzlinger and Holsman, with SCS |
| 8. SB 680-Curls, with SCS            | 24. SB 892-Kraus, with SCS                  |
| 9. SB 829-Kraus, with SCS            | 25. SB 809-Wasson, with SCS                 |
| 10. SB 584-Dixon                     | 26. SB 706-Cunningham, with SCS             |
| 11. SB 777-Nieves, with SCS          | 27. SB 500-Keaveny                          |
| 12. SB 739-Romine, with SCS          | 28. SB 695-Keaveny                          |
| 13. SB 553-Emery, with SCS           | 29. SJR 26-Lager                            |
| 14. SB 707-Wasson, with SCS          | 30. SB 890-Kehoe                            |
| 15. SB 785-Kehoe, with SCS           | 31. SB 754-Sater and Justus                 |
| 16. SB 818-Kehoe                     |   |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- |  |   |
|--|---|
| SB 491-Justus and Dixon, with SCS<br>(pending)           | SB 663-Munzlinger, with SCS                           |
| SB 501-Keaveny   | SB 692-Wasson, with SA 1 (pending)                    |
| SB 518-Sater, with SCS, SA 2 &<br>SA 1 to SA 2 (pending) | SB 712-Walsh, with SCS (pending)                      |
| SB 519-Sater, with SS & SA 1 (pending)                   | SB 734-Cunningham                                     |
| SS for SB 543-Munzlinger                                 | SB 741-Rupp and Parson                                |
| SB 573-Munzlinger, with SCS                              | SB 790-Dixon, with SA 3 & point of<br>order (pending) |
| SB 575-Dixon   | SB 814-Brown  |
| SB 589-Brown, with SCS, SA 2 &<br>SA 1 to SA 2 (pending) | SB 854-Wasson, with SCS                               |
| SB 599-Kraus, with SCS & SA 2 (pending)                  | SJR 25-Lager  |
|  | SJR 34-Emery  |
|  | SJR 42-Schmitt  |

**BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES****In Conference**

HB 2014-Stream, with SCS (Schaefer)

**RESOLUTIONS****Reported from Committee**

SCR 28-Pearce, et al, with SCS

SCR 33-Wallingford

SCR 36-Wasson

SCR 37-Kehoe

SCR 40-Lager

HCR 4-English, et al

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# Journal of the Senate

## SECOND REGULAR SESSION

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**FORTY-THIRD DAY—MONDAY, MARCH 31, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Now I know that the Lord will help his anointed; he will answer him from his holy heaven with mighty victories by his right hand.”  
(Psalm 20:6a)

O Lord, there are many events happening that are difficult and scary as earthquakes shake our western states. Weather continues to wreak havoc with winds and heavy rains sweep the land and bring mudslides that bury citizens; snow covers parts of the East coast and the Midwest suffers from areas of lack of rain. So strengthen our faith to see that through it all, Your love conquers all and Your shield provides our best defense. You provide balance as You see what is truly needed and give us the capacity to respond to the needs we see about us. So keep us faithful and trusting to learn from Your Word and events that help test us to walk the path You lead us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journals for Thursday, March 27, 2014 and Friday, March 28, 2014 were read and approved.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Kehoe offered Senate Resolution No. 1673, regarding Central Bank, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 1674, regarding Fechtel Beverage, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 1675, regarding Todd Doerhoff, Wardsville, which was adopted.

Senator Kehoe offered Senate Resolution No. 1676, regarding Brittany Russell, Columbia, which was adopted.

Senator Kehoe offered Senate Resolution No. 1677, regarding the One Hundred Twenty-fifth Anniversary of the Oklahoma Church of Christ, which was adopted.

Senator Justus offered Senate Resolution No. 1678, regarding Peter George Milanowski, Winfield, which was adopted.

Senator Sifton offered Senate Resolution No. 1679, regarding Andrew Michael Ellison, Crestwood, which was adopted.

Senator Schaaf offered Senate Resolution No. 1680, regarding Kathy Wiggins, which was adopted.

Senator Schaaf offered Senate Resolution No. 1681, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Dick Barmann, St. Joseph, which was adopted.

Senator Romine offered Senate Resolution No. 1682, regarding Nancy Politte, Cadet, which was adopted.

Senator Romine offered Senate Resolution No. 1683, regarding the Jefferson County Firefighters Association, which was adopted.

Senator Wallingford offered Senate Resolution No. 1684, regarding Howard Hall, Sedgewickville, which was adopted.

Senator Sater offered Senate Resolution No. 1685, regarding James B. Tatum, Pineville, which was adopted.

Senators Pearce, Kraus, LeVota and Romine offered Senate Resolution No. 1686, regarding the 2013-2014 NCAA Division II champions University of Central Missouri Men's Mules Basketball Team, which was adopted.

Senator Schaefer offered Senate Resolution No. 1687, regarding Miles Gibson, Columbia, which was adopted.

Senator Dempsey offered Senate Resolution No. 1688, regarding the Niagara Foundation and the Turkish American Foundation of the Midwest, which was adopted.

Senator Brown offered Senate Resolution No. 1689, regarding John L. Beckett, Camdenton, which was adopted.

Senator Justus offered Senate Resolution No. 1690, regarding Robert Francis, Herculaneum, which was

adopted.

Senator Walsh offered Senate Resolution No. 1691, regarding Joseph David Sontag, which was adopted.

Senator Lager offered Senate Resolution No. 1692, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Keith Rutledge, Trenton, which was adopted.

Senator Schmitt offered Senate Resolution No. 1693, regarding William N. Hogan, Saint Louis County, which was adopted.

Senator LeVota offered Senate Resolution No. 1694, regarding Reggie Wolfe, Independence, which was adopted.

Senator LeVota offered Senate Resolution No. 1695, regarding Robert A. Hudson, Independence, which was adopted.

Senator LeVota offered Senate Resolution No. 1696, regarding Richard B. Andrews, Harrisonville, which was adopted.

Senator LeVota offered Senate Resolution No. 1697, regarding Dave Echols, Odessa, which was adopted.

Senator LeVota offered Senate Resolution No. 1698, regarding John Vickers, which was adopted.

Senator LeVota offered Senate Resolution No. 1699, regarding Kush Sharma, which was adopted.

President Pro Tem Dempsey assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 1320**, begs leave to report that it has considered the same and recommends that the bill do pass.

### **HOUSE BILLS ON THIRD READING**

Senator Richard requested unanimous consent of the Senate to suspend Senate Rule 52 for the purpose of taking up **HB 1320** for third reading and final passage, which request was granted.

**HB 1320**, introduced by Representatives Ellinger, et al, entitled:

An Act to repeal sections 191.918 and 494.430, RSMo, and to enact in lieu thereof two new sections relating to breast-feeding.

Was taken up by Senator Keaveny.

On motion of Senator Keaveny, **HB 1320** was read the 3rd time and passed by the following vote:

#### **YEAS—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla



Munzlinger	Nasheed	Nieves	Parson	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senator Pearce—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

March 31, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Brian Kinkade, 2301 Grant Lane, Columbia, Boone County, Missouri 65203, as Director of the Department of Social Services, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Dempsey referred the above appointment to Committee on Gubernatorial Appointments.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2029**, entitled:

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to sales and use tax exemptions for aircraft.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1189**, entitled:

An Act to amend chapter 170, RSMo, by adding thereto one new section relating to graduation requirements.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1779**, entitled:

An Act to repeal section 630.175, RSMo, and to enact in lieu thereof one new section relating to advanced practice registered nurses.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1685**, entitled:

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to the use of investigational drugs, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1642**, entitled:

An Act to amend chapter 285, RSMo, by adding thereto two new sections relating to employment taxes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1225**, entitled:

An Act to repeal sections 415.400, 415.405, 415.410, 415.415, 415.417, 415.420, and 415.425, RSMo, and to enact in lieu thereof eighteen new sections relating to self-service storage facilities, with an effective date for certain sections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1723**, entitled:

An Act to repeal section 304.022, RSMo, and to enact in lieu thereof one new section relating to emergency vehicles, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1218**, entitled:

An Act to repeal section 448.3-116, RSMo, and to enact in lieu thereof one new section relating to liens for assessments on condominiums.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1091**, entitled:

An Act to amend chapter 135, RSMo, by adding thereto four new sections relating to port facilities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1374**, entitled:

An Act to amend chapter 416, RSMo, by adding thereto five new sections relating to bad faith assertions of patent infringement.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1735** and **1618**, entitled:

An Act to repeal section 578.120, RSMo, and to enact in lieu thereof one new section relating to the sale

of motorcycles on Sunday, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1729**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to a department of economic development office in Israel.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1631**, entitled:

An Act to amend chapter 643, RSMo, by adding thereto one new section relating to the air conservation commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1245**, entitled:

An Act to repeal section 208.275 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill no. 555 merged with senate substitute no. 2 for house bill no. 648, ninety-sixth general assembly, first regular session and section 208.275 as enacted by senate committee substitute for house committee substitute for house bill no. 464, ninety-sixth general assembly, first regular session, and section 301.580 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, and section 301.3166 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 301.3168 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 301.3170 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 350.016 as enacted by house committee substitute for senate bill no. 84, eighty-seventh general assembly, first regular session, and section 390.280 as enacted by conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470, ninety-sixth general assembly, second regular session, and section 407.300 as enacted by conference committee substitute for senate committee substitute for house bill no. 103,

ninety-seventh general assembly, first regular session, and section 476.055 as enacted by conference committee substitute for house committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, for the sole purpose of repealing multiple versions of statutes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1447**, entitled:

An Act to repeal sections 302.065 and 302.171, RSMo, and to enact in lieu thereof three new sections relating to driver's license issuance.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1665** and **1335**, entitled:

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to the publishing of certain photographs on internet websites, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1693**, entitled:

An Act to repeal sections 447.560 and 447.584, RSMo, and to enact in lieu thereof three new sections relating to unclaimed property, with a penalty provision and an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

#### **SENATE BILLS FOR PERFECTION**

Senator Sifton moved that **SB 708** be taken up for perfection, which motion prevailed.

On motion of Senator Sifton, **SB 708** was declared perfected and ordered printed.

Senator Romine moved that **SB 782** be taken up for perfection, which motion prevailed.

Senator Romine offered **SS** for **SB 782**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 782

An Act to repeal section 168.021, RSMo, and to enact in lieu thereof one new section relating to certification by the American Board for Certification of Teacher Excellence.

Senator Romine moved that **SS** for **SB 782** be adopted, which motion prevailed.

On motion of Senator Romine, **SS** for **SB 782** was declared perfected and ordered printed.

Senator Keaveny moved that **SB 499** be taken up for perfection, which motion prevailed.

Senator Kehoe assumed the Chair.

On motion of Senator Keaveny, **SB 499** was declared perfected and ordered printed.

Senator Schaaf moved that **SJR 27**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SJR 27**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE JOINT RESOLUTION NO. 27

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 15 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to government access of electronic data.

Was taken up.

Senator Schaaf moved that **SCS** for **SJR 27** be adopted.

At the request of Senator Schaaf, **SJR 27**, with **SCS** (pending), was placed on the Informal Calendar.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1861** and **1864**, entitled:

An Act to repeal sections 208.024 and 208.027, RSMo, and to enact in lieu thereof five new sections relating to public assistance benefits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1651**, entitled:

An Act to repeal section 394.120, RSMo, and to enact in lieu thereof one new section relating to electric cooperatives.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1514**, entitled:

An Act to repeal section 451.040, RSMo, and to enact in lieu thereof one new section relating to marriage licenses.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1602**, entitled:

An Act to authorize the conveyance of property owned by the state in St. Francois County to the City of Farmington.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1724**, entitled:

An Act to repeal section 41.216, RSMo, and to enact in lieu thereof one new section relating to the Missouri military family relief fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1804**, entitled:

An Act to repeal section 21.830, RSMo, and to enact in lieu thereof one new section relating to the joint committee on Missouri's energy future.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HB 1184**, entitled:

An Act to repeal section 431.056, RSMo, and to enact in lieu thereof one new section relating to foster children contracting for automobile insurance.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1389**, entitled:

An Act to repeal sections 173.030 and 174.450, RSMo, and to enact in lieu thereof two new sections relating to state authorization of reciprocity agreements for distance education.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

## **REFERRALS**

President Pro Tem Dempsey referred **SCS** for **SB 723** and **SS No. 3** for **SCS** for **SBs 509** and **496** to the Committee on Governmental Accountability and Fiscal Oversight.

## **HOUSE BILLS ON SECOND READING**

The following Bills were read the 2nd time and referred to the Committees indicated:

**HCS** for **HB 2001**—Appropriations.

**HCS** for **HB 2002**—Appropriations.

**HCS** for **HB 2003**—Appropriations.

**HCS** for **HB 2004**—Appropriations.

**HCS** for **HB 2005**—Appropriations.

**HCS** for **HB 2006**—Appropriations.

**HCS** for **HB 2007**—Appropriations.

**HCS** for **HB 2008**—Appropriations.

**HCS** for **HB 2009**—Appropriations.

**HCS** for **HB 2010**—Appropriations.

**HCS** for **HB 2011**—Appropriations.

**HCS** for **HB 2012**—Appropriations.

**HCS** for **HB 2013**—Appropriations.



**INTRODUCTIONS OF GUESTS**

Senator Chappelle-Nadal introduced to the Senate, Lindsey Young, Mason Douglas, Drake Nilges, Darren Green, Kannon Qualls, Kendra Elder, Jerry Hobbs, Hollee Ellis and Misti Lovelace, representatives of Missouri State Beta Club.

Senator Libla introduced to the Senate, Dr. Devin Stephenson, and his wife, Judy, Teresa Johnson, Dr. Angela Totty, Jeffrey Kropp, Melody Willis, Mark Sanders, Bridgett Barnhill, Michelle Lane, Will Dougherty, Amanda Taylor, Sherry McDonald, Julie Becker, Michael Willis, Michelle Fisher-Young, Justin Hoggard, Martha Kirkman, Robby Calvert and Karen Beers, representatives of Three Rivers College President's Leadership Academy, Poplar Bluff.

Senator Holsman introduced to the Senate, Dr. Matt Naylor, Kansas City.

On motion of Senator Richard, the Senate adjourned under the rules.

**SENATE CALENDAR**


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FORTY-FOURTH DAY—TUESDAY, APRIL 1, 2014

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**FORMAL CALENDAR****HOUSE BILLS ON SECOND READING**

HB 2029-Cierpiot  
HCS for HB 1189  
HCS for HB 1779  
HCS for HB 1685  
HB 1642-Bahr  
HCS for HB 1225  
HB 1723-Davis and Lynch  
HCS for HB 1218  
HCS for HB 1091  
HCS for HB 1374  
HCS for HBs 1735 & 1618  
HCS for HB 1729  
HCS for HB 1631

HB 1245-Hampton, et al  
HCS for HB 1447  
HCS for HBs 1665 & 1335  
HB 1693-Barnes  
HCS for HBs 1861 & 1864  
HB 1651-Fraker  
HCS for HB 1514  
HB 1602-Engler and Black  
HB 1724-Davis and Lynch  
HB 1804-Riddle, et al  
HB 1184-Grisamore  
HCS for HB 1389

THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt (In  
Fiscal Oversight)  
SB 727-Chappelle-Nadal (In Fiscal  
Oversight)  
SB 693-Parson (In Fiscal Oversight)  
SS for SCS for SB 720-Justus (In  
Fiscal Oversight)

SS for SB 673-Kehoe (In Fiscal  
Oversight)  
SCS for SB 723-Parson (In Fiscal  
Oversight)  
SS#3 for SCS for SBs 509 & 496-Kraus  
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 490-Lager and Kehoe, with SCS  
2. SB 674-Kehoe  
3. SB 644-LeVota  
4. SB 680-Curls, with SCS  
5. SB 829-Kraus, with SCS  
6. SB 584-Dixon  
7. SB 777-Nieves, with SCS  
8. SB 739-Romine, with SCS  
9. SB 553-Emery, with SCS  
10. SB 707-Wasson, with SCS  
11. SB 785-Kehoe, with SCS  
12. SB 818-Kehoe  
13. SB 846-Richard  
14. SB 628-Schaaf

15. SB 812-Parson  
16. SB 729-Romine, with SCS  
17. SB 774-Dempsey, with SCS  
18. SB 555-Nasheed  
19. SB 850-Munzlinger and Holsman, with SCS  
20. SB 892-Kraus, with SCS  
21. SB 809-Wasson, with SCS  
22. SB 706-Cunningham, with SCS  
23. SB 500-Keaveny  
24. SB 695-Keaveny  
25. SJR 26-Lager  
26. SB 890-Kehoe  
27. SB 754-Sater and Justus

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 491-Justus and Dixon, with SCS  
(pending)  
SB 501-Keaveny  
SB 518-Sater, with SCS, SA 2 & SA 1 to  
SA 2 (pending)  
SB 519-Sater, with SS & SA 1 (pending)  
SS for SB 543-Munzlinger  
SB 573-Munzlinger, with SCS

SB 575-Dixon  
SB 589-Brown, with SCS, SA 2 & SA 1 to  
SA 2 (pending)  
SB 599-Kraus, with SCS & SA 2 (pending)  
SB 663-Munzlinger, with SCS  
SB 692-Wasson, with SA 1 (pending)  
SB 712-Walsh, with SCS (pending)  
SB 734-Cunningham

SB 741-Rupp and Parson  
SB 790-Dixon, with SA 3 & point of order  
(pending)  
SB 814-Brown  
SB 854-Wasson, with SCS

SJR 25-Lager  
SJR 27-Schaaf and Dixon, with SCS  
(pending)  
SJR 34-Emery  
SJR 42-Schmitt

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

In Conference

HB 2014-Stream, with SCS (Schaefer)

RESOLUTIONS

Reported from Committee

SCR 28-Pearce, et al, with SCS  
SCR 33-Wallingford  
SCR 36-Wasson

SCR 37-Kehoe  
SCR 40-Lager  
HCR 4-English, et al

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# Journal of the Senate

## SECOND REGULAR SESSION

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**FORTY-FOURTH DAY—TUESDAY, APRIL 1, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The beginning of wisdom is this: Get wisdom, and whatever else you get, get insight. Prize her highly, and she will exalt you; she will honor you if you embrace her.” (Proverbs 4:7)

Almighty God, in our fast and continually changing world we encounter much that would distract us. Keep us from straying from Your wisdom. Through Your Holy Spirit, reveal to us what is truly important, so that we may serve You with our hearts and words and all that we do. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Wasson offered Senate Resolution No. 1700, regarding Leon Heater, Mountain Home, Arkansas, which was adopted.

Senator Romine offered Senate Resolution No. 1701, regarding Edward Joseph Martin, Bonne Terre, which was adopted.

Senator Lamping offered Senate Resolution No. 1702, regarding John James Wolfe, Saint Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 1703, regarding Hugh Vincent Boemer, Saint Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 1704, regarding Edward Hanpeter Cunliff, Saint Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 1705, regarding Jerome Samuel Peters, Saint Louis, which was adopted.

Senator Richard offered Senate Resolution No. 1706, regarding Nii Kpakpo Ekow Abrahams, Joplin, which was adopted.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1456**, entitled:

An Act to amend chapter 10, RSMo, by adding thereto two new sections relating to the designation of the state dogs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1547**, entitled:

An Act to amend chapter 10, RSMo, by adding thereto two new sections relating to the designation of the state dogs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1603**, entitled:

An Act to amend chapter 10, RSMo, by adding thereto one new section relating to the designation of

the official state exercise.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1553**, entitled:

An Act to repeal section 182.802, RSMo, and to enact in lieu thereof one new section relating to public library district sales taxes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1673**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1692**, entitled:

An Act to repeal sections 247.060 and 247.080, RSMo, and to enact in lieu thereof two new sections relating to public water supply districts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1707**, entitled:

An Act to repeal sections 174.709, 174.712, and 178.862, RSMo, and to enact in lieu thereof three new sections relating to community college police officers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HB 1712**, entitled:

An Act to repeal section 375.020, RSMo, and to enact in lieu thereof one new section relating to life insurance producers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1831**, entitled:

An Act to repeal section 210.211, RSMo, and to enact in lieu thereof one new section relating to child care facilities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1835**, entitled:

An Act to repeal section 209.040, RSMo, and to enact in lieu thereof one new section relating to blind pension benefit requirements.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1866**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1897**, entitled:

An Act to repeal sections 323.010, 323.025, and 323.050, RSMo, and to enact in lieu thereof three new sections relating to propane gas.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1968**, entitled:

An Act to repeal sections 354.465, 375.1250, 375.1252, 375.1255, 375.1257, 375.1260, 375.1262, 375.1265, 375.1267, 375.1269, 375.1270, 375.1272, and 375.1275, RSMo, and to enact in lieu thereof thirteen new sections relating to health organizations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2040**, entitled:

An Act to amend chapter 190, RSMo, by adding thereto one new section relating to drug overdose treatment.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1380**, entitled:

An Act to repeal sections 178.656, 197.315, 205.968, 208.215, 226.805, 475.120, 552.040, 563.033, 565.030, 630.003, 630.340, 633.020, 633.105, 633.401, and 660.075, RSMo, and to enact in lieu thereof fifteen new sections relating to intellectual and developmental disabilities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1605**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto two new sections relating to mental health awareness designations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2028**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of epilepsy awareness month.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.



Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1670**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of Jackie Robinson day.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1744**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of organ donor recognition day.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1745**, entitled:

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to a sickle cell standing committee.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1775**, entitled:

An Act to amend chapter 476, RSMo, by adding thereto one new section relating to courthouse security.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

President Pro Tem Dempsey assumed the Chair.

### **SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **HB 1320**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

President Kinder assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred

**SB 708; SB 499; and SS for SB 782**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SS No. 3** for **SCS** for **SBs 509 and 496** and **SCS** for **SB 723**, begs leave to report that it has considered the same and recommends that the bills do pass.

### THIRD READING OF SENATE BILLS

At the request of Senator Parson, **SCS** for **SB 723** was placed on the Informal Calendar.

**SS No. 3** for **SCS** for **SBs 509 and 496**, introduced by Senator Kraus, entitled:

#### SENATE SUBSTITUTE NO. 3 FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 509 and 496

An Act to repeal sections 143.011, 143.021, and 143.151, RSMo, and to enact in lieu thereof four new sections relating to income taxes.

Was taken up.

Senator Pearce assumed the Chair.

On motion of Senator Kraus, **SS No. 3** for **SCS** for **SBs 509 and 496** was read the third time and passed by the following vote:

#### YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

#### NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton
Walsh—9							

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—1

Senator Kehoe assumed the Chair.

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### SENATE BILLS FOR PERFECTION

Senator Schaaf moved that **SJR 27**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SCS** for **SJR 27** was again taken up.

Senator Schaaf moved that **SCS** for **SJR 27** be adopted, which motion prevailed.

On motion of Senator Schaaf, **SCS** for **SJR 27** was declared perfected and ordered printed.

Senator Schmitt moved that **SJR 42** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Wallingford offered **SA 1**:

### SENATE AMENDMENT NO. 1

Amend Senate Joint Resolution No. 42, Page 1, Section 35(a), Line 10, by inserting immediately after the word “agencies” the following: “, **except rules promulgated by the conservation commission pursuant to section 40(a) of article IV of this constitution,**”; and

Further amend said bill and section, page 2, line 35, by inserting immediately after the word “thereof” the following: “**as provided in subsection 2 of this section**”.

Senator Wallingford moved that the above amendment be adopted.

At the request of Senator Schmitt, **SJR 42**, with **SA 1** (pending), was placed on the Informal Calendar.

### MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1302**, entitled:

An Act to repeal section 643.055, RSMo, and to enact in lieu thereof one new section relating to the regulation of residential wood burning appliances.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

President Pro Tem Dempsey assumed the Chair.

### REPORTS OF STANDING COMMITTEES

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 617**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 755**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 769**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 830**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 841**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Justus, Chairman of the Committee on Progress and Development, submitted the following reports:

Mr. President: Your Committee on Progress and Development, to which was referred **SB 919**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Progress and Development, to which were referred **SB 787** and **SB 804**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 795**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 887**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 538**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was

referred **SB 786**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 638** and **SB 647**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 578**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 655**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 659**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 717**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 794**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 866**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 824**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 724**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 550**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 819**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SB 836** and **SB 800**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 842**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 860**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following reports:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SB 891**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SB 762**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 875**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 671**, begs leave to report that it has considered the same and recommends that the bill do pass.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Pearce.

### **RESOLUTIONS**

Senator Brown offered Senate Resolution No. 1707, regarding Larry Wheeler, St. Robert, which was adopted.

Senator Lager offered Senate Resolution No. 1708, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Robert Newberry, Ravenwood, which was adopted.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SJR 27**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

### **REFERRALS**

President Pro Tem Dempsey referred **SCS** for **SJR 27** to the Committee on Governmental Accountability and Fiscal Oversight.

### **SENATE BILLS FOR PERFECTION**

Senator Schmitt moved that **SJR 42**, with **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 1** was again taken up.

Senator Wallingford moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Cunningham, Justus, Keaveny and Kehoe.

On motion of Senator Wallingford, **SA 1** was adopted by the following vote:

#### **YEAS—Senators**

Chappelle-Nadal	Cunningham	Dempsey	Holsman	Justus	Keaveny	Kehoe	Kraus
Nasheed	Pearce	Richard	Sater	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—18						

#### **NAYS—Senators**

Brown	Curls	Dixon	Emery	Lager	Lamping	LeVota	Libla
Munzlinger	Nieves	Parson	Romine	Schaaf	Schaefer—14		

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—1

Senator Lager offered **SS** for **SJR 42**, entitled:

SENATE SUBSTITUTE FOR  
SENATE JOINT RESOLUTION NO. 42

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article III of the Constitution of Missouri, and adopting one new section relating to the joint committee on administrative rules.

Senator Lager moved that **SS** for **SJR 42** be adopted.

At the request of Senator Schmitt, **SJR 42**, with **SS** (pending), was placed on the Informal Calendar.

**MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

April 1, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Harold Edward Wildberger, 2414 Dewey Street, Saint Joseph, Buchanan County, Missouri 64505, as a member of the Sentencing and Corrections Oversight Commission, for a term ending March 11, 2016, and until his successor is duly appointed and qualified; vice, RSMo. 217.147.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

April 1, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jenny Frisbee, 2230 Bay Tree Drive, Saint Peters, Saint Charles County, Missouri 63376, as a member of the Behavior Analyst Advisory Board, for a term ending January 4, 2019, and until her successor is duly appointed and qualified; vice, Jessa R. Love, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Dempsey referred the above appointments to the Committee on Gubernatorial Appointments.



**SENATE BILLS FOR PERFECTION**

Senator Rupp moved that **SB 741** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senators Rupp and Parson offered **SS** for **SB 741**, entitled:

**SENATE SUBSTITUTE FOR  
SENATE BILL NO. 741**

An Act to repeal sections 313.800, 313.812, 313.817, and 313.830, RSMo, and to enact in lieu thereof four new sections relating to financial transactions of gaming establishments, with existing penalty provisions.

Senator Rupp moved that **SS** for **SB 741** be adopted, which motion prevailed.

On motion of Senator Rupp, **SS** for **SB 741** was declared perfected and ordered printed.

Senator Lager moved that **SB 490**, with **SCS**, be taken up for perfection, which motion prevailed.

At the request of Senator Lager, **SB 490**, with **SCS**, was placed on the Informal Calendar.

Senator Kehoe moved that **SB 674** be taken up for perfection, which motion prevailed.

Senator Emery offered **SA 1**, which was read:

**SENATE AMENDMENT NO. 1**

Amend Senate Bill No. 674, Page 2, Section 8.007, Line 34, by striking the words “and alcoholic”; and  
Further amend said bill, page 3, section 34.425, line 3, by striking the words “and alcoholic”.

Senator Emery moved that the above amendment be adopted, which motion failed.

On motion of Senator Kehoe, **SB 674** was declared perfected and ordered printed.

At the request of Senator LeVota, **SB 644** was placed on the Informal Calendar.

Senator Curls moved that **SB 680**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 680**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 680**

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to eligibility for food stamps.

Was taken up.

Senator Curls moved that **SCS** for **SB 680** be adopted.

The Senate observed a moment of silence for Lewis County C-1 School District students involved in a bus accident.

Senator Kehoe assumed the Chair.

Senator Sater offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for Senate Bill No. 680, Page 2, Section 208.247, Line 36, by inserting after all of said line the following:

**“4. The exemption under this section shall not apply to individuals who have had three subsequent controlled substance felony offenses after being released from custody or, if not committed to custody, after the first felony controlled substance conviction.”.**

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Curls moved that **SCS** for **SB 680**, as amended, be adopted, which motion prevailed.

On motion of Senator Curls, **SCS** for **SB 680**, as amended, was declared perfected and ordered printed.

On motion of Senator Richard, the Senate recessed until 8:30 p.m.

**RECESS**

The time of recess having expired, the Senate was called to order by Senator Dixon.

**RE-REFERRALS**

President Pro Tem Dempsey re-referred **HB 1557** to the Committee on Transportation and Infrastructure.

**SENATE BILLS FOR PERFECTION**

Senator Walsh moved that **SB 712**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Walsh offered **SS** for **SCS** for **SB 712**, entitled:

**SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 712**

An Act to amend chapter 285, RSMo, by adding thereto six new sections relating to domestic violence.

Senator Walsh moved that **SS** for **SCS** for **SB 712** be adopted.

Senator Romine offered **SA 1**, which was read:

**SENATE AMENDMENT NO. 1**

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 712, Pages 7-8, Section 285.640, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Romine moved that the above amendment be adopted.

Senator Walsh requested a roll call vote be taken on the adoption of **SA 1** and was joined in her request by Senators Curls, Holsman, Justus and LeVota.

**SA 1** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schmitt	Silvey	Wallingford	Wasson—22		

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Schaefer
Sifton	Walsh—10						

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—1

At the request of Senator Walsh, **SB 712**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

### REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 741**; **SCS** for **SB 680**; and **SB 674**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### SENATE BILLS FOR PERFECTION

Senator Kraus moved that **SB 829**, with **SCS**, be taken up for perfection, which motion prevailed. **SCS** for **SB 829**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 829

An Act to repeal section 136.300, RSMo, and to enact in lieu thereof one new section relating to tax liability disputes.

Was taken up.

Senator Kraus moved that **SCS** for **SB 829** be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Kraus, **SCS** for **SB 829** was declared perfected and ordered printed.

Senator Dixon moved that **SB 584** be taken up for perfection, which motion prevailed.

Senator Dixon offered **SA 1**, which was read:

#### SENATE AMENDMENT NO. 1

Amend Senate Bill No. 584, Page 4, Section 144.010, Line 104, by inserting immediately after

“attractions” the following: “. **Such sales shall not include sales for admission and seating accommodations, or fees paid to, or in any place exempt from taxation under subdivision (21) of subsection 2 of section 144.030**”; and

Further amend said bill, Page 6, Section 144.018, Line 32, by inserting after “attractions.” the following: **“Such sales shall not include sales for admission and seating accommodations, or fees paid to, or in any place exempt from taxation under subdivision (21) of subsection 2 of section 144.030.”**; and

Further amend said bill, Page 7, Section 144.020, Line 23, by inserting immediately after “attractions” the following: “. **Such tax shall not include sales for admission and seating accommodations, or fees paid to, or in any place exempt from taxation under subdivision (21) of subsection 2 of section 144.030**”.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Cunningham offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 584, Page 1, In the Title, Lines 3-4, by striking the following: “tax on places of amusement, entertainment, recreation, games, and athletic events” and inserting in lieu thereof the following: “and use taxes”; and

Further amend said bill, page 9, section 144.020, line 73, by inserting immediately after said line the following:

“144.044. 1. As used in this section, the following terms mean:

(1) “Sale of a modular unit”, a transfer of a modular unit as defined in section 700.010;

(2) “Sale of a new manufactured home”, a transfer of a manufactured home, as defined in section 700.010, which involves the delivery of the document known as the manufacturer’s statement of origin to a person other than a manufactured home dealer, as dealer is defined in section 700.010, for purposes of allowing such person to obtain a title to the manufactured home from the department of revenue of this state or the appropriate agency or officer of any other state;

**(3) “Sale of a used manufactured home”, any subsequent sale of a manufactured home as defined in section 700.010, which does not qualify as “new” as defined in subdivision (9) of section 700.010.**

2. In the event of the sale of a new manufactured home, forty percent of the purchase price, as defined in section 700.320, shall be considered the sale of a service and not the sale of tangible personal property. In addition to the exemptions granted under the provisions of section 144.030, the sale of services as defined in this section shall be specifically exempted from the provisions of sections 238.235 and 238.410, the local sales tax law as defined in section 32.085, sections 144.010 to 144.525 and 144.600 to [144.745] **144.761**, and from the computation of the tax levied, assessed or payable under sections 238.235 and 238.410, the local sales tax law as defined in section 32.085, sections 144.010 to 144.525 and 144.600 to [144.745] **144.761**, and section 238.235.

3. In the event of the sale of a new modular unit, forty percent of the retail sale of the unit or forty percent of the manufacturer’s sales price of the unit if the manufacturer makes a sale to a consumer that is

not a retail sale, plus any carrier charge and freight charges shall be considered the sale of a service and sixty percent shall be the retail sale of tangible personal property. In addition to the exemptions granted under the provisions of section 144.030, the sale of services as defined in this section shall be specifically exempted from the provisions of sections 238.235 and 238.410, the local sales tax law as defined in section 32.085, sections 144.010 to 144.525 and 144.600 to [144.745] **144.761**, and from the computation of the tax levied, assessed, or payable under sections 238.235 and 238.410, the local sales tax law as defined in section 32.085, sections 144.010 to 144.525 and 144.600 to [144.745] **144.761**, and section 238.235.

**4. In addition to the exemptions granted under the provisions of section 144.030, the sale of a used manufactured home as defined in this section shall be specifically exempted from the provisions of sections 238.235 and 238.410, the local sales tax law as defined in section 32.085, sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under sections 238.235 and 238.410, the local sales tax law as defined in section 32.085, sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235.”; and**

Further amend the title and enacting clause accordingly.

Senator Cunningham moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Dixon, **SB 584**, as amended, was declared perfected and ordered printed.

Senator Nieves moved that **SB 777**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 777**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 777

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to sales and use tax exemptions for aircraft.

Was taken up.

Senator Nieves moved that **SCS** for **SB 777** be adopted, which motion prevailed.

On motion of Senator Nieves, **SCS** for **SB 777** was declared perfected and ordered printed.

Senator Romine moved that **SB 739**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 739**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 739

An Act to repeal sections 208.010, 208.151, 208.631, 208.670, 208.952, 208.955, 208.990, 208.991, and 473.398, RSMo, and to enact in lieu thereof nineteen new sections relating to the MO HealthNet program, with penalty provisions.

Was taken up.

Senator Romine moved that **SCS** for **SB 739** be adopted.

Senator Romine offered **SS** for **SCS** for **SB 739**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 739

An Act to repeal sections 208.010, 208.151, 208.152, 208.631, 208.670, 208.952, 208.955, 208.990, 208.991, and 473.398, RSMo, and to enact in lieu thereof twenty new sections relating to the MO HealthNet program, with penalty provisions.

Senator Romine moved that **SS** for **SCS** for **SB 739** be adopted.

Senator Lamping offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill 739, Page 83, Section 473.398, Line 3 of said page, by inserting after all of said line the following:

**“Section 1. The department of social services shall not expand eligibility services for individuals age nineteen to sixty-four, who are not otherwise eligible for MO HealthNet services under this chapter, who qualify for MO HealthNet services under section 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) and as set forth in 42 CFR 435.119, and who have income at or below one hundred thirty-three percent of the federal poverty level plus five percent of the applicable family size as determined under 42 U.S.C. 1396a(e)(14) under the provisions set forth in 42 CFR 435.603, under the federal Patient Protection and Affordable Care Act, Public Law 111-148, as amended by the federal Health Care and Education Reconciliation Act of 2010, Public Law 111-152, and any amendments thereto, unless it is enacted into law through referendum as prescribed by Article III, Section 52(a) of the Missouri Constitution.”; and**

Further amend the title and enacting clause accordingly.

Senator Lamping moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Brown, Emery, Richard and Schaaf.

Senator Lamping offered **SA 1** to **SA 1**:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 739, Page 1, Section 1, Line 12 of said amendment by inserting after “435.603,” the following: **“or direct or assist a MO HealthNet participant to enroll in a plan offered by a health care exchange, whether federally facilitated, state based, or operated on a partnership basis,”.**

Senator Lamping moved that the above amendment be adopted.

Senator Schmitt assumed the Chair.

Senator Sifton offered **SSA 1** for **SA 1** to **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR  
SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bill

No. 739, Page 1, Line 3, by striking the word “not”; and further amend lines 15-17 by striking all of said lines and inserting in lieu thereof the following: “**any amendments thereto.**”; and”.

Senator Sifton moved that the above substitute amendment be adopted.

Senator Schaaf raised the point of order that **SSA 1** for **SA 1** to **SA 1** is out of order in that it is in the third degree.

The point of order was referred to the President Pro Tem who took it under advisement, which placed **SB 739**, with **SCS**, **SS** for **SCS**, **SA 1**, **SA 1** to **SA 1**, **SSA 1** for **SA 1** to **SA 1** and the point of order (pending), on the Informal Calendar.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 777** and **SCS** for **SB 829**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### **INTRODUCTIONS OF GUESTS**

Senator Pearce introduced to the Senate, Jeffrey A. Huffman, University of Central Missouri.

On behalf of Senators Holsman, Curls and herself, Senator Justus introduced to the Senate, Randy Wisthoff and Laura Berger, Kansas City.

Senator Libla introduced to the Senate, Randy and Lorrie Schulz, Poplar Bluff.

Senator Silvey introduced to the Senate, his grandmother, Joann Silvey, Chillicothe.

Senator Schaaf introduced to the Senate, Chris Larson and twenty-nine students from Central High School, St. Joseph.

On behalf of Senator Pearce, the President introduced to the Senate, Chris Kaiser, Higginsville.

On behalf of Senator Kehoe, the President introduced to the Senate, Brenda Raymer, Rachel Ratcliff, parents and forty-five fourth grade students from St. Peter’s Inter-parish School, Jefferson City.

On behalf of Senator Emery and himself, Senator Pearce introduced to the Senate, Fred Wilson, Warrensburg; and Charlie Burton, Drexel.

Senator Schmitt introduced to the Senate, Chancellor Dennis Michaelis, St. Louis Community College.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

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FORTY-FIFTH DAY—WEDNESDAY, APRIL 2, 2014

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 2029-Cierpiot	HCS for HB 1389
HCS for HB 1189	HB 1456-Hoskins, et al
HCS for HB 1779	HB 1547-Dohrman, et al
HCS for HB 1685	HB 1603-Conway and Kratky
HB 1642-Bahr	HB 1553-Dohrman, et al
HCS for HB 1225	HB 1673-Houghton
HB 1723-Davis and Lynch	HB 1692-Korman
HCS for HB 1218	HB 1707-Conway
HCS for HB 1091	HB 1712-Molendorp
HCS for HB 1374	HCS for HB 1831
HCS for HBs 1735 & 1618	HB 1835-Haar, et al
HCS for HB 1729	HB 1866-Schatz, et al
HCS for HB 1631	HB 1897-Kolkmeyer
HB 1245-Hampton, et al	HB 1968-Gosen
HCS for HB 1447	HCS for HB 2040
HCS for HBs 1665 & 1335	HB 1380-Peters and Ellington
HB 1693-Barnes	HCS for HB 1605
HCS for HBs 1861 & 1864	HB 2028-Peters, et al
HB 1651-Fraker	HB 1670-Dunn, et al
HCS for HB 1514	HB 1744-Walton Gray, et al
HB 1602-Engler and Black	HCS for HB 1745
HB 1724-Davis and Lynch	HB 1775-Colona and Hodges
HB 1804-Riddle, et al	HCS for HB 1302
HB 1184-Grisamore	

THIRD READING OF SENATE BILLS

- |   |  |
|---|--|
| 1. SS for SCS for SB 666-Schmitt (In<br>Fiscal Oversight) | 3. SB 693-Parson (In Fiscal Oversight)                   |
| 2. SB 727-Chappelle-Nadal (In Fiscal Oversight)           | 4. SS for SCS for SB 720-Justus (In<br>Fiscal Oversight) |



- |  |                                   |
|--|-----------------------------------|
| 5. SS for SB 673-Kehoe (In Fiscal Oversight)             | 10. SS for SB 741-Rupp and Parson |
| 6. SB 708-Sifton   | 11. SCS for SB 680-Curls          |
| 7. SB 499-Keaveny  | 12. SB 674-Kehoe                  |
| 8. SS for SB 782-Romine                                  | 13. SCS for SB 777-Nieves         |
| 9. SCS for SJR 27-Schaaf and Dixon (In Fiscal Oversight) | 14. SCS for SB 829-Kraus          |

### SENATE BILLS FOR PERFECTION

- |   |  |
|---|--|
| 1. SB 553-Emery, with SCS                   | 25. SB 919-Justus                      |
| 2. SB 707-Wasson, with SCS                  | 26. SBs 787 & 804-Justus, with SCS     |
| 3. SB 785-Kehoe, with SCS                   | 27. SB 795-Lager                       |
| 4. SB 818-Kehoe                             | 28. SB 887-Schaefer                    |
| 5. SB 846-Richard                           | 29. SB 538-Keaveny and Holsman         |
| 6. SB 628-Schaaf                            | 30. SB 786-Schmitt                     |
| 7. SB 812-Parson                            | 31. SBs 638 & 647-Romine, with SCS     |
| 8. SB 729-Romine, with SCS                  | 32. SB 578-Kraus                       |
| 9. SB 774-Dempsey, with SCS                 | 33. SB 655-Kraus                       |
| 10. SB 555-Nasheed                          | 34. SB 659-Wallingford, with SCS       |
| 11. SB 850-Munzlinger and Holsman, with SCS | 35. SB 717-Brown                       |
| 12. SB 892-Kraus, with SCS                  | 36. SB 794-Chappelle-Nadal             |
| 13. SB 809-Wasson, with SCS                 | 37. SB 866-Wasson and Cunningham       |
| 14. SB 706-Cunningham, with SCS             | 38. SB 824-Dixon, with SCS             |
| 15. SB 500-Keaveny                          | 39. SB 724-Parson                      |
| 16. SB 695-Keaveny                          | 40. SB 550-Sater, with SCS             |
| 17. SJR 26-Lager                            | 41. SB 819-Wallingford, with SCS       |
| 18. SB 890-Kehoe                            | 42. SBs 836 & 800-Munzlinger, with SCS |
| 19. SB 754-Sater and Justus                 | 43. SB 842-Parson                      |
| 20. SB 617-Rupp, with SCS                   | 44. SB 860-Cunningham                  |
| 21. SB 755-Wallingford                      | 45. SB 891-Kehoe                       |
| 22. SB 769-Pearce, with SCS                 | 46. SB 762-Schaefer, with SCS          |
| 23. SB 830-Parson                           | 47. SB 875-Sater, with SCS             |
| 24. SB 841-Wasson, with SCS                 | 48. SB 671-Sater                       |

### INFORMAL CALENDAR

### THIRD READING OF SENATE BILLS

SCS for SB 723-Parson

SENATE BILLS FOR PERFECTION

SB 490-Lager and Kehoe, with SCS	SB 692-Wasson, with SA 1 (pending)
SB 491-Justus and Dixon, with SCS (pending)	SB 712-Walsh, with SCS & SS for SCS (pending)
SB 501-Keaveny	SB 734-Cunningham
SB 518-Sater, with SCS, SA 2 & SA 1 to SA 2 (pending)	SB 739-Romine, with SCS, SS for SCS, SA 1 SA 1 to SA 1, SSA 1 for SA 1 to SA 1 & point of order (pending)
SB 519-Sater, with SS & SA 1 (pending)	SB 790-Dixon, with SA 3 & point of order (pending)
SS for SB 543-Munzlinger	SB 814-Brown
SB 573-Munzlinger, with SCS	SB 854-Wasson, with SCS
SB 575-Dixon	SJR 25-Lager
SB 589-Brown, with SCS, SA 2 & SA 1 to SA 2 (pending)	SJR 34-Emery
SB 599-Kraus, with SCS & SA 2 (pending)	SJR 42-Schmitt, with SS (pending)
SB 644-LeVota	
SB 663-Munzlinger, with SCS	

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

In Conference

HB 2014-Stream, with SCS (Schaefer)

RESOLUTIONS

Reported from Committee

SCR 28-Pearce, et al, with SCS	SCR 37-Kehoe
SCR 33-Wallingford	SCR 40-Lager
SCR 36-Wasson	HCR 4-English, et al

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# Journal of the Senate

## SECOND REGULAR SESSION

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**FORTY-FIFTH DAY—WEDNESDAY, APRIL 2, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Commit thy works unto the LORD, and thy thoughts shall be established.” (Proverbs 16:3)

We begin this day in prayer and thoughts of You, O Lord. Now we gather to commit our efforts to the works You have given us. We also commit to You to help us do what we believe and think is best for our state and help us bring them to completion in You. So, be with us and walk with us as we move through this day with staff and colleagues. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

**Present—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 1709, regarding Colton Edward Hamilton, which was adopted.

Senator LeVota offered Senate Resolution No. 1710, regarding the City of Independence, which was adopted.

Senator Lager offered Senate Resolution No. 1711, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Harold Myers, Trenton, which was adopted.

Senator Chappelle-Nadal offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 1712

WHEREAS, the Missouri Senate recognizes the importance of programs designed to provide college students the opportunity to enhance their leadership qualities; and

WHEREAS, the 21<sup>st</sup> Century Leadership Academy hosted by the University of Missouri-St. Louis is an intense program designed to encourage women's public sector leadership; and

WHEREAS, Leadership Academy "Fellows" are selected from nine participating state universities; and

WHEREAS, the Leadership Academy curriculum includes interactive panel discussions and skill-building workshops, as well as the opportunity to participate in a mock legislative session; and

WHEREAS, the Missouri Senate has a long tradition of assisting those seeking insight into the Legislative Branch of state government by granting use of the Senate Chamber.

NOW, THEREFORE, BE IT RESOLVED that the Missouri Senate hereby grant the participants of the 21<sup>st</sup> Century Leadership Academy use of the Senate Chamber for the purpose of conducting a mock legislative session from 10:00 am to 12:15 noon on Wednesday, May 21, 2014.

**CONCURRENT RESOLUTIONS**

Senator Pearce offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 41

Whereas, Chronic Obstructive Pulmonary Disease (COPD), also known as chronic bronchitis and emphysema, is the third-leading cause of death in the United States and is the second-leading cause of disability; and

Whereas, pulmonary experts predict that by 2020, COPD will become the leading cause of death worldwide; and

Whereas, the major risk factor for COPD is smoking. Other risk factors include environmental and workplace exposure to air pollution, a history of childhood respiratory infection, and genetics; and

Whereas, tobacco use is the single most preventable cause of death and disease in Missouri; and

Whereas, chronic lower respiratory disease accounted for 6.4% of 2012 Missouri resident deaths, including emphysema, asthma, and bronchitis (2012 Vital Statistics); and

Whereas, approximately 8.1 percent of Missouri adults reported having COPD in 2012; and

Whereas, the American Association for Respiratory Care reports that just over half of all persons with COPD report that their condition limits their ability to work, while thirty-four percent say that COPD keeps them from working; and

Whereas, early COPD screening and diagnosis is critical, and a diagnostic test for COPD known as spirometry is available for office use, yet most people are not diagnosed until they have reached an advanced stage of COPD; and

Whereas, until there is a cure for COPD, increased public awareness, early detection, and proper health management can slow the progression of the disease and lead to reduced costs and improved quality of life and self-sufficiency; and

Whereas, the Missouri Chronic Disease State Plan, On Common Ground for Health guides the statewide stakeholders working together on efforts to prevent and lessen the burden of chronic disease. The state plan identifies areas for collaboration to reduce cost, as well as increase the impact, of the efforts to improve the health of Missourians;

Now, Therefore, Be It Resolved by the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge recognition of COPD as a chronic health condition in Missouri which contributes to increasing health care costs and decreasing productivity of its citizens; and

Be It Further Resolved that the Missouri General Assembly encourages the Missouri Department of Health and Senior Services to include COPD as a chronic health condition in its efforts to address serious and chronic health conditions in Missouri by seeking out and applying for funding and grants available to provide public awareness or treatment for COPD in Missouri; and

Be It Further Resolved that the Missouri General Assembly encourages the Missouri Department of Health and Senior Services to include COPD as a chronic health condition in its current efforts to educate the public about the effects of smoking or other preventable and treatable chronic health conditions; and

Be It Further Resolved that the Missouri General Assembly hereby designate November 2014 as COPD awareness month in Missouri; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Department of Health and Senior Services.

### REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 584**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

### THIRD READING OF SENATE BILLS

**SB 708**, introduced by Senator Sifton, entitled:

An Act to repeal section 115.279, RSMo, section 115.275 as enacted by house committee substitute for senate substitute for senate committee substitute for senate bill no. 116, ninety-seventh general assembly, first regular session, section 115.275 as enacted by house bill no. 511, ninety-second general assembly, first regular session, section 115.291 as enacted by house committee substitute for senate substitute for senate committee substitute for senate bill no. 116, ninety-seventh general assembly, first regular session, and section 115.291 as enacted by senate committee substitute for house committee substitute for house bill nos. 1524 & 2260, ninety-fifth general assembly, second regular session, and to enact in lieu thereof three new sections relating to absentee voting for emergency workers, with an emergency clause.

Was taken up.

On motion of Senator Sifton, **SB 708** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Nieves—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Nieves—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Sifton, title to the bill was agreed to.

Senator Sifton moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 499**, introduced by Senator Keaveny, entitled:

An Act to repeal section 456.950, RSMo, and to enact in lieu thereof one new section relating to qualified spousal trusts.

Was taken up.

On motion of Senator Keaveny, **SB 499** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Nieves—1

Absent with leave Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS** for **SB 782**, introduced by Senator Romine, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 782

An Act to repeal section 168.021, RSMo, and to enact in lieu thereof one new section relating to certification by the American Board for Certification of Teacher Excellence.

Was taken up.

Senator Kraus assumed the Chair.

On motion of Senator Romine, **SS** for **SB 782** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Nieves—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**REFERRALS**

President Pro Tem Dempsey referred **SCS** for **SB 829**; **SCS** for **SB 777**; and **SB 584** to the Committee on Governmental Accountability and Fiscal Oversight.

**THIRD READING OF SENATE BILLS**

**SS** for **SB 741**, introduced by Senators Rupp and Parson, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 741

An Act to repeal sections 313.800, 313.812, 313.817, and 313.830, RSMo, and to enact in lieu thereof

four new sections relating to financial transactions of gaming establishments, with existing penalty provisions.

Was taken up by Senator Rupp.

On motion of Senator Rupp, **SS** for **SB 741** was read the 3rd time and passed by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny	Kehoe
Kraus	LeVota	Libla	Munzlinger	Nasheed	Nieves	Parson	Pearce
Richard	Romine	Rupp	Schmitt	Sifton	Silvey	Wallingford	Walsh—24

NAYS—Senators

Brown	Cunningham	Emery	Lager	Lamping	Sater	Schaaf	Schaefer
Wasson—9							

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 680**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 680

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to eligibility for food stamps.

Was taken up by Senator Curls.

On motion of Senator Curls, **SCS** for **SB 680** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schaefer
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators

Cunningham	Kraus	Lager	Schmitt—4
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Absent—Senators—None



Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Curls, title to the bill was agreed to.

Senator Curls moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 674**, introduced by Senator Kehoe, entitled:

An Act to repeal section 8.007, RSMo, and to enact in lieu thereof two new sections relating to contracts for the sale of certain items at events held in state-owned buildings.

Was taken up.

Senator Rupp assumed the Chair.

On motion of Senator Kehoe, **SB 674** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Schaaf
Schaefer	Schmitt	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Emery	Sater	Sifton—3
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SENATE BILLS FOR PERFECTION**

Senator Romine moved that **SB 739**, with **SCS**, **SS** for **SCS**, **SA 1**, **SA 1** to **SA 1**, **SSA 1** for **SA 1** to **SA 1** and the point of order (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

President Pro Tem Dempsey ruled the pending point of order well taken.

**SA 1** to **SA 1** was again taken up.

At the request of Senator Romine, **SB 739**, with **SCS**, **SS** for **SCS**, **SA 1** and **SA 1** to **SA 1** (pending), was placed on the Informal Calendar.

On motion of Senator Richard, the Senate recessed until 3:30 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by President Pro Tem Dempsey.

### **MESSAGES FROM THE HOUSE**

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1326**, entitled:

An Act to amend chapter 261, RSMo, by adding thereto four new sections relating to the Missouri dairy industry revitalization act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **SENATE BILLS FOR PERFECTION**

Senator Emery moved that **SB 553**, with **SCS**, be taken up for perfection, which motion prevailed.  
**SCS** for **SB 553**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 553**

An Act to repeal sections 208.909 and 660.023, RSMo, and to enact in lieu thereof two new sections relating to the requirement for an electronic system for certain home and community-based providers.

Was taken up.

Senator Emery moved that **SCS** for **SB 553** be adopted.

Senator Rupp assumed the Chair.

At the request of Senator Emery, **SB 553**, with **SCS** (pending), was placed on the Informal Calendar.

Senator Wasson moved that **SB 707**, with **SCS**, be taken up for perfection, which motion prevailed.  
**SCS** for **SB 707**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 707**

An Act to repeal section 301.010, RSMo, and to enact in lieu thereof one new section relating to off-highway motorized vehicles.

Was taken up.

Senator Wasson moved that **SCS** for **SB 707** be adopted.

Senator Wasson offered **SS** for **SCS** for **SB 707**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 707

An Act to repeal sections 301.010 and 301.700, RSMo, and to enact in lieu thereof two new sections relating to off-highway motorized vehicles.

Senator Wasson moved that **SS** for **SCS** for **SB 707** be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **SCS** for **SB 707** was declared perfected and ordered printed.

Senator Kehoe moved that **SB 785**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 785**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 785

An Act to repeal section 306.127, RSMo, and to enact in lieu thereof one new section relating to temporary boating safety identification cards.

Was taken up.

Senator Kehoe moved that **SCS** for **SB 785** be adopted, which motion prevailed.

On motion of Senator Kehoe, **SCS** for **SB 785** was declared perfected and ordered printed.

Senator Kehoe moved that **SB 818** be taken up for perfection, which motion prevailed.

On motion of Senator Kehoe, **SB 818** was declared perfected and ordered printed.

At the request of Senator Richard, **SB 846** was placed on the Informal Calendar.

Senator Schaaf moved that **SB 628** be taken up for perfection, which motion prevailed.

On motion of Senator Schaaf, **SB 628** was declared perfected and ordered printed.

Senator Parson moved that **SB 812** be taken up for perfection, which motion prevailed.

On motion of Senator Parson, **SB 812** was declared perfected and ordered printed.

Senator Romine moved that **SB 729**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 729**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 729

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to a tax credit for donations to innovation campuses.

Was taken up.

Senator Romine moved that **SCS** for **SB 729** be adopted, which motion prevailed.

On motion of Senator Romine, **SCS** for **SB 729** was declared perfected and ordered printed.

**SB 774**, with **SCS**, was placed on the Informal Calendar.

Senator Nasheed moved that **SB 555** be taken up for perfection, which motion prevailed.

Senator Nasheed offered **SS** for **SB 555**, entitled:

**SENATE SUBSTITUTE FOR  
SENATE BILL NO. 555**

An Act to repeal section 105.456 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.456 as enacted by house bill no. 1120, ninety-first general assembly, second regular session, section 105.473 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof two new sections relating to ethics.

Senator Nasheed moved that **SS** for **SB 555** be adopted.

Senator Sater offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Substitute for Senate Bill No. 555, Page 6, Section 105.456, Line 20 of said page, by striking all of said line and inserting in lieu thereof the following:

**“3. No member of the general assembly, statewide elected official, or such person’s”; and**

Further amend said bill, section 105.473, page 16, line 23 of said page, by striking all of said line and inserting in lieu thereof the following: **“assembly, statewide elected official, or such person’s staff, employee, spouse, or dependent”**.

Senator Sater moved that the above amendment be adopted.

At the request of Senator Nasheed, **SB 555**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

**REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 707** and **SB 628**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SB 693**; **SS** for **SCS** for **SB 720**; **SS** for **SB 673**; **SB 727**; and **SCS** for **SJR 27**, begs leave to report that it has considered the same and recommends that the bills and joint resolution do pass.

### **RESOLUTIONS**

Senator Cunningham offered Senate Resolution No. 1713, regarding the Seventy-fifth Anniversary of Howell-Oregon Electric Cooperative, Incorporated, West Plains, which was adopted.

Senator Libla offered Senate Resolution No. 1714, regarding Nicholas Donald Baker, Poplar Bluff, which was adopted.

Senator Sifton offered Senate Resolution No. 1715, regarding Karen Roeseler, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1716, regarding Mathew George, Maryland Heights, which was adopted.

Senator Sifton offered Senate Resolution No. 1717, regarding Beth Meyer, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1718, regarding Ellen McCray, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1719, regarding Michael Adreon, Ballwin, which was adopted.

Senator Sifton offered Senate Resolution No. 1720, regarding Jackie Natsch, St. Louis, which was adopted.

Senator Kehoe offered Senate Resolution No. 1721, regarding Adam Joe Walker, Jefferson City, which was adopted.

Senator Sater offered Senate Resolution No. 1722, regarding Vickie Foster, Golden, which was adopted.

Senator Sater offered Senate Resolution No. 1723, regarding Trent Bowers, Branson, which was adopted.

Senator Sater offered Senate Resolution No. 1724, regarding Judy England, Cassville, which was adopted.

Senator Kraus offered Senate Resolution No. 1725, regarding the One Hundredth Birthday of John M. Donnell, Lee's Summit, which was adopted.

Senator Kehoe offered Senate Resolution No. 1726, regarding Kristin "Kris" Keilty, Rich Fountain, which was adopted.

Senator Richard offered Senate Resolution No. 1727, regarding the Communities of Wildwood Ranch, Joplin, which was adopted.

Senator Lager offered Senate Resolution No. 1728, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Wesley Harms, Weatherby, which was adopted.

**INTRODUCTIONS OF GUESTS**

Senator Pearce introduced to the Senate, four hundred fifty international and study-abroad students and advisors representing International Education Day.

Senator Munzlinger introduced to the Senate, Michael Johnson, Brenda Snider, Shemshat Durdyeva, Julie Huang and Merjen Nurberdiyeva, representatives of International Education Day.

The President introduced to the Senate, his nephew, Major Tommy Waller, USMC, New Orleans, Louisiana.

Senator Parson introduced to the Senate, Trevor Cunningham and twelve students from LaMonte High School.

Senator Lamping introduced to the Senate, the Physician of the Day, Edmond Cabbabe, M.D., and his wife, Rima, Town and Country.

Senator Parson introduced to the Senate, Janeene Williams and twenty-three students from Northwest High School, Hughesville.

Senator Pearce introduced to the Senate, Brad Hogan, Richmond.

Senator Schmitt introduced to the Senate, Maya Rideout, and her mother, Regina, Fenton; and Sue Kendig, Ballwin; and Maya was made an honorary page.

Senator Pearce introduced to the Senate, Mark Heins, Concordia.

Senator Pearce introduced to the Senate, Ty Perkins, D.O., Bruce Williams, D.O., David Joslyn, Lindsey Kirkpatrick, PhD, Elaine Joslyn, D.O., Olga Garcia, 2<sup>nd</sup> Lieutenant, and Laura Hempstead, D.O., representatives of the Missouri Association of Osteopathic Physicians and Surgeons.

Senator Dempsey introduced to the Senate, Ashley Schafluetzel, and her daughter, Ella, and Alyssa Murray, St. Charles County.

Senator Richard introduced to the Senate, representatives of Leadership Joplin.

On motion of Senator Richard, the Senate adjourned under the rules.

**SENATE CALENDAR**  

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**FORTY-SIXTH DAY—THURSDAY, APRIL 3, 2014**

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**FORMAL CALENDAR****HOUSE BILLS ON SECOND READING**

HB 2029-Cierpiot  
HCS for HB 1189

HCS for HB 1779  
HCS for HB 1685

HB 1642-Bahr	HB 1547-Dohrman, et al
HCS for HB 1225	HB 1603-Conway and Kratky
HB 1723-Davis and Lynch	HB 1553-Dohrman, et al
HCS for HB 1218	HB 1673-Houghton
HCS for HB 1091	HB 1692-Korman
HCS for HB 1374	HB 1707-Conway
HCS for HBs 1735 & 1618	HB 1712-Molendorp
HCS for HB 1729	HCS for HB 1831
HCS for HB 1631	HB 1835-Haar, et al
HB 1245-Hampton, et al	HB 1866-Schatz, et al
HCS for HB 1447	HB 1897-Kolkmeyer
HCS for HBs 1665 & 1335	HB 1968-Gosen
HB 1693-Barnes	HCS for HB 2040
HCS for HBs 1861 & 1864	HB 1380-Peters and Ellington
HB 1651-Fraker	HCS for HB 1605
HCS for HB 1514	HB 2028-Peters, et al
HB 1602-Engler and Black	HB 1670-Dunn, et al
HB 1724-Davis and Lynch	HB 1744-Walton Gray, et al
HB 1804-Riddle, et al	HCS for HB 1745
HB 1184-Grisamore	HB 1775-Colona and Hodges
HCS for HB 1389	HCS for HB 1302
HB 1456-Hoskins, et al	HCS for HB 1326

### THIRD READING OF SENATE BILLS

- |  |  |
|--|--|
| 1. SS for SCS for SB 666-Schmitt (In Fiscal Oversight) | 7. SCS for SB 777-Nieves (In Fiscal Oversight) |
| 2. SB 727-Chappelle-Nadal                              | 8. SCS for SB 829-Kraus (In Fiscal Oversight)  |
| 3. SB 693-Parson                                       | 9. SB 584-Dixon (In Fiscal Oversight)          |
| 4. SS for SCS for SB 720-Justus                        | 10. SS for SCS for SB 707-Wasson               |
| 5. SS for SB 673-Kehoe                                 | 11. SB 628-Schaaf                              |
| 6. SCS for SJR 27-Schaaf and Dixon                     |  |

### SENATE BILLS FOR PERFECTION

- |  |                                |
|--|--------------------------------|
| 1. SB 850-Munzlinger and Holsman, with SCS | 4. SB 706-Cunningham, with SCS |
| 2. SB 892-Kraus, with SCS                  | 5. SB 500-Keaveny              |
| 3. SB 809-Wasson, with SCS                 | 6. SB 695-Keaveny              |
|  | 7. SJR 26-Lager                |

- |                                      |  |
|--------------------------------------|--|
| 8. SB 890-Kehoe                      | 24. SB 659-Wallingford, with SCS       |
| 9. SB 754-Sater and Justus           | 25. SB 717-Brown                       |
| 10. SB 617-Rupp and Parson, with SCS | 26. SB 794-Chappelle-Nadal             |
| 11. SB 755-Wallingford               | 27. SB 866-Wasson and Cunningham       |
| 12. SB 769-Pearce, with SCS          | 28. SB 824-Dixon, with SCS             |
| 13. SB 830-Parson                    | 29. SB 724-Parson                      |
| 14. SB 841-Wasson, with SCS          | 30. SB 550-Sater, with SCS             |
| 15. SB 919-Justus                    | 31. SB 819-Wallingford, with SCS       |
| 16. SBs 787 & 804-Justus, with SCS   | 32. SBs 836 & 800-Munzlinger, with SCS |
| 17. SB 795-Lager                     | 33. SB 842-Parson                      |
| 18. SB 887-Schaefer                  | 34. SB 860-Cunningham                  |
| 19. SB 538-Keaveny and Holsman       | 35. SB 891-Kehoe                       |
| 20. SB 786-Schmitt                   | 36. SB 762-Schaefer, with SCS          |
| 21. SBs 638 & 647-Romine, with SCS   | 37. SB 875-Sater, with SCS             |
| 22. SB 578-Kraus                     | 38. SB 671-Sater                       |
| 23. SB 655-Kraus                     |  |

## INFORMAL CALENDAR

### THIRD READING OF SENATE BILLS

SCS for SB 723-Parson

### SENATE BILLS FOR PERFECTION

- |  |   |
|--|---|
| SB 490-Lager and Kehoe, with SCS         | SB 644-LeVota                               |
| SB 491-Justus and Dixon, with SCS        | SB 663-Munzlinger, with SCS                 |
| (pending)                                | SB 692-Wasson, with SA 1 (pending)          |
| SB 501-Keaveny                           | SB 712-Walsh, with SCS & SS for SCS         |
| SB 518-Sater, with SCS, SA 2 & SA 1 to   | (pending)                                   |
| SA 2 (pending)                           | SB 734-Cunningham                           |
| SB 519-Sater, with SS & SA 1 (pending)   | SB 739-Romine, with SCS, SS for SCS, SA 1 & |
| SS for SB 543-Munzlinger                 | SA 1 to SA 1 (pending)                      |
| SB 553-Emery, with SCS (pending)         | SB 774-Dempsey, with SCS                    |
| SB 555-Nasheed, with SS & SA 1 (pending) | SB 790-Dixon, with SA 3 & point of order    |
| SB 573-Munzlinger, with SCS              | (pending)                                   |
| SB 575-Dixon                             | SB 814-Brown                                |
| SB 589-Brown, with SCS, SA 2 & SA 1 to   | SB 846-Richard                              |
| SA 2 (pending)                           | SB 854-Wasson, with SCS                     |
| SB 599-Kraus, with SCS & SA 2 (pending)  | SJR 25-Lager                                |



SJR 34-Emery

SJR 42-Schmitt, with SS (pending)

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

In Conference

HB 2014-Stream, with SCS (Schaefer)

RESOLUTIONS

Reported from Committee

SCR 28-Pearce, et al, with SCS

SCR 33-Wallingford

SCR 36-Wasson

SCR 37-Kehoe

SCR 40-Lager

HCR 4-English, et al

To be Referred

SCR 41-Pearce

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# Journal of the Senate

## SECOND REGULAR SESSION

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**FORTY-SIXTH DAY—THURSDAY, APRIL 3, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“All these blessings will come upon you and accompany you if you obey the LORD your God: You will be blessed in the city and blessed in the country...You will be blessed when you come in and blessed when you go out.” (Deuteronomy 9:2,6)

O Lord our God, we complete this day knowing that You have promised to bless all those who are obedient to Your Word. Help us to always seek Your Word, seek to understand it for our lives and live Your Word in all we say and do. May Your blessings rest on us, our families and our people and may we share the bounty of those blessings with those in greatest need. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

**Present—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

**Absent—Senators—None**

**Absent with leave—Senators—None**

**Vacancies—2**

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Dempsey offered Senate Resolution No. 1729, regarding the Missouri Alliance of Boys & Girls Clubs, which was adopted.

Senator Schmitt offered Senate Resolution No. 1730, regarding Coraline Quinn Sirinthorn Durham, Ballwin, which was adopted.

Senator Keaveny offered Senate Resolution No. 1731, regarding the Honorable Rory Ellinger, which was adopted.

Senator Libla offered Senate Resolution No. 1732, regarding the One Hundredth Anniversary of East Carter High School, Ellsinore, which was adopted.

The Senate observed a moment of silence in memory of the victims of the Fort Hood shooting.

The Senate observed a moment of silence in memory of Betty Kennedy.

### **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Scott T. Rupp, as a member of the Public Service Commission;

Also,

Judith Grace O'Connor, Democrat, as a member of the Missouri Health Facilities Review Committee;

Also,

Lionel K. Attawia, as the student representative of the Missouri Western State University Board of Governors;

Also,

Patricia L. Kohl, as a member of the Child Abuse and Neglect Review Board;

Also,

William J. Deeken Jr., Republican, as a member of the Missouri Ethics Commission;

Also,

William Miller, Democrat, as a member of the Missouri Housing Development Commission;

Also,

Stacey L. Karns, as a member of the Advisory Commission for Physician Assistants; and

Mariea Snell, as a member of the Missouri State Board of Nursing.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments; and requested a roll call vote be taken. He was

joined in his request by Senators Chappelle-Nadal, Nasheed, Richard and Wallingford.

The motion made by Senator Dempsey was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS for SB 729**; **SCS for SB 785**; **SB 812**; and **SB 818**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Pearce assumed the Chair.

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SB 584**; **SCS for SB 777**; and **SCS for SB 829**, begs leave to report that it has considered the same and recommends that the bills do pass.

### THIRD READING OF SENATE BILLS

**SCS for SB 723**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 723

An Act to repeal sections 8.420 and 8.665, RSMo, and to enact in lieu thereof two new sections relating to revenue bonds.

Was called from the Informal Calendar and taken up by Senator Parson.

On motion of Senator Parson, **SCS for SB 723** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Lager	LeVota	Libla	Munzlinger	Nasheed	Parson

Pearce	Richard	Romine	Sater	Sifton	Silvey	Wallingford	Walsh
Wasson—25							

NAYS—Senators							
Emery	Kraus	Lamping	Nieves	Schaaf	Schmitt—6		

Absent—Senator Schaefer—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 727**, introduced by Senator Chappelle-Nadal, entitled:

An Act to amend chapters 144 and 208, RSMo, by adding thereto two new sections relating to farmers' markets.

Was taken up.

On motion of Senator Chappelle-Nadal, **SB 727** was read the 3rd time and passed by the following vote:

YEAS—Senators							
Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Chappelle-Nadal, title to the bill was agreed to.

Senator Chappelle-Nadal moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 693**, introduced by Senator Parson, entitled:

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to taxes on the titling of motor vehicles.

Was taken up.

On motion of Senator Parson, **SB 693** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Schaaf—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS for SCS for SB 720**, introduced by Senator Justus, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 720

An Act to repeal section 210.027, RSMo, and to enact in lieu thereof one new section relating to child care providers.

Was taken up.

On motion of Senator Justus, **SS for SCS for SB 720** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Justus, title to the bill was agreed to.

Senator Justus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS** for **SB 673**, introduced by Senator Kehoe, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 673

An Act to repeal sections 288.060, 288.122, and 288.330, RSMo, and to enact in lieu thereof three new sections relating to employment security.

Was taken up.

On motion of Senator Kehoe, **SS** for **SB 673** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schmitt	Silvey	Wallingford	Wasson—24

NAYS—Senators

Curls	Holsman	Justus	Keaveny	LeVota	Schaefer	Sifton	Walsh—8
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SJR 27**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE JOINT RESOLUTION NO. 27

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 15 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to government access of electronic data.

Was taken up by Senator Schaaf.

On motion of Senator Schaaf, **SCS** for **SJR 27** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Chappelle-Nadal—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the joint resolution passed.

On motion of Senator Schaaf, title to the joint resolution was agreed to.

Senator Schaaf moved that the vote by which the joint resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Kehoe assumed the Chair.

**SCS** for **SB 777**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 777**

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to sales and use tax exemptions for aircraft.

Was taken up by Senator Nieves.

On motion of Senator Nieves, **SCS** for **SB 777** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Parson—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.



On motion of Senator Nieves, title to the bill was agreed to.

Senator Nieves moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 829**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 829

An Act to repeal section 136.300, RSMo, and to enact in lieu thereof one new section relating to tax liability disputes.

Was taken up by Senator Kraus.

On motion of Senator Kraus, **SCS** for **SB 829** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 584**, introduced by Senator Dixon, entitled:

An Act to repeal sections 144.010, 144.018, 144.020, and 144.044, RSMo, and to enact in lieu thereof four new sections relating to sales and use taxes.

Was taken up.

On motion of Senator Dixon, **SB 584** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS** for **SCS** for **SB 707**, introduced by Senator Wasson, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 707

An Act to repeal sections 301.010 and 301.700, RSMo, and to enact in lieu thereof two new sections relating to off-highway motorized vehicles.

Was taken up.

On motion of Senator Wasson, **SS** for **SCS** for **SB 707** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Cunningham—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 628**, introduced by Senator Schaaf, entitled:

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the transfer of property by the governing bodies of certain public institutions of higher education, with an emergency clause.

Was taken up.

On motion of Senator Schaaf, **SB 628** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### SENATE BILLS FOR PERFECTION

Senator Wasson moved that **SB 854**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 854**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 854

An Act to repeal sections 50.660 and 50.783, RSMo, and to enact in lieu thereof two new sections relating to county purchases.

Was taken up.

Senator Wasson moved that **SCS** for **SB 854** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **SB 854** was declared perfected and ordered printed.

Senator Nieves assumed the Chair.

**CONCURRENT RESOLUTIONS**

Senator Pearce moved that **SCR 28**, with **SCS**, be taken up for adoption, which motion prevailed.

**SCS** for **SCR 28** was taken up.

Senator Pearce moved that **SCS** for **SCR 28** be adopted, which motion prevailed.

On motion of Senator Pearce, **SCR 28**, as amended by the **SCS**, was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senators—None

Absent—Senators

Keaveny	Lamping	Sater	Schaaf—4
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Absent with leave—Senators—None

Vacancies—2

**SCR 33**, introduced by Senator Wallingford, entitled:

Relating to the recognition of February as Oral Health Awareness Month.

Was taken up.

On motion of Senator Wallingford, **SCR 33** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators—None

Absent—Senators

Keaveny      Lamping      Schaaf—3

Absent with leave—Senators—None

Vacancies—2

The President declared the concurrent resolution passed.

On motion of Senator Wallingford, title to the concurrent resolution was agreed to.

Senator Wallingford moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Wasson moved that **SCR 36** be taken up for adoption, which motion prevailed.

Senator Wasson offered **SS** for **SCR 36**:

SENATE SUBSTITUTE FOR  
SENATE CONCURRENT RESOLUTION NO. 36

WHEREAS, Multiple Sclerosis (MS) is a chronic, often disabling disease that attacks the central nervous system, which is comprised of the brain, spinal cord, and optic nerves. MS damages the nerve-insulating myelin sheath that surrounds and protects the brain. The damage to the myelin sheath slows down or blocks messages between the brain and the body; and

WHEREAS, the cause of MS remains unknown; however, having a first-degree relative, such as a parent or sibling, with MS significantly increases a person's risk of developing the disease. According to the National Institute of Neurological Disorders and Stroke, it is estimated that there are approximately 250,000 to 350,000 persons in the United States who are diagnosed with MS. This estimate suggests that approximately 200 new cases are diagnosed each week; and

WHEREAS, it is in the public interest for the state to establish a Multiple Sclerosis Task Force in order to identify and address the unmet needs of persons with MS, and develop ways to enhance their quality of life:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby create the Missouri Multiple Sclerosis Task Force; and

BE IT FURTHER RESOLVED that the mission of the Task Force shall be to fully consider and make recommendations in a report to the General Assembly on:

(1) Developing strategies to identify and address the unmet needs of persons with MS in order to enhance the quality of life of persons with MS by maximizing productivity and independence, and addressing the emotional, social, and vocational challenges of persons with MS; and

(2) Developing strategies to provide persons with MS greater access to various treatments and other therapeutic options that may be available; and

BE IT FURTHER RESOLVED that the Task Force shall consist of the following members:

(1) Two members of the Senate, one to be appointed by the President Pro Tempore of the Senate and one to be appointed by the Minority Leader of the Senate;

(2) Two members of the House of Representatives, one to be appointed by the Speaker of the House of Representatives and one to be appointed by the Minority Leader of the House of Representatives;

(3) The Director of the Department of Health and Senior Services, or his or her designee, to serve as a member and provide technical assistance to the task force;

(4) Two neurologists licensed to practice in this state, with one appointed by the President Pro Tempore of the Senate and one appointed by the Speaker of the House of Representatives, from a list of recommendations by the Department of Health and Senior Services;

(5) Two Missouri regional members of a national organization with experience in helping people affected by MS through funding cutting-

edge research, driving change through advocacy, facilitating professional education and providing programs and services that help people and the families living with MS, with one appointed by the President Pro Tempore of the Senate and one appointed by the Speaker of the House of Representatives, from a list of recommendations by the Department of Health and Senior Services;

(6) Two persons who represent agencies that provide services or supports to individuals with MS in this state, with one appointed by the President Pro Tempore of the Senate and one appointed by the Speaker of the House of Representatives, from a list of recommendations by the Department of Health and Senior Services;

(7) Two persons who have MS, with one appointed by the President Pro Tempore of the Senate and one appointed by the Speaker of the House of Representatives, from a list of recommendations by the Department of Health and Senior Services; and

BE IT FURTHER RESOLVED that the staffs of Senate Research, House Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Task Force may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Task Force will report its recommendations and findings to the Missouri General Assembly by January 1, 2015; and

BE IT FURTHER RESOLVED that the Task Force shall terminate by either a majority of members voting for termination, or by January 1, 2015, whichever occurs first; and

BE IT FURTHER RESOLVED that the Multiple Sclerosis Task Force is authorized to function during the legislative interim between the Second Regular Session of the Ninety-seventh General Assembly and the First Regular Session of the Ninety-eighth General Assembly through January 1, 2015, as authorized by State v. Atterbury, 300 S.W.2d 806 (Mo. 1957); and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Director of the Department of Health and Senior Services.

Senator Wasson moved that **SS** for **SCR 36** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCR 36**, as amended by the **SS**, was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaefer	Schmitt
Sifton	Silvey	Walsh	Wasson—28				

NAYS—Senators—None

Absent—Senators

Keaveny	Lamping	Schaaf	Wallingford—4
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Absent with leave—Senators—None

Vacancies—2

**SCR 37**, introduced by Senator Kehoe, entitled:

Relating to the recognition of the first Tuesday of every September as American Red Cross Blood Donation Day.

Was taken up.

On motion of Senator Kehoe, **SCR 37** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
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Justus	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators—None

Absent—Senators

Keaveny	Lamping	Schaaf—3
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Absent with leave—Senators—None

Vacancies—2

The President declared the concurrent resolution passed.

On motion of Senator Kehoe, title to the concurrent resolution was agreed to.

Senator Kehoe moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Lager moved that **SCR 40** be taken up for adoption, which motion prevailed.

On motion of Senator Lager, **SCR 40** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
LeVota	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaefer	Schmitt	Silvey	Wallingford	Walsh	Wasson—23	

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Nasheed	Sifton—6
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Absent—Senators

Keaveny	Lamping	Schaaf—3
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Absent with leave—Senators—None

Vacancies—2

Senator Walsh moved that **HCR 4** be taken up for adoption, which motion prevailed.

On motion of Senator Walsh, **HCR 4** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	LeVota	Libla	Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Sater	Schaefer	Schmitt	Silvey	Wallingford	Walsh	Wasson—24

NAYS—Senators

Chappelle-Nadal	Holsman	Justus	Nasheed	Sifton—5
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Absent—Senators

Keaveny

Lamping

Schaaf—3

Absent with leave—Senators—None

Vacancies—2

President Pro Tem Dempsey assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Parson, Vice-Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 634**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 642**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 848**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 566**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 854**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 5**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 39**, begs leave to report that it has considered the same and recommends that the Senate Committee



Substitute, hereto attached, do pass.

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE CONCURRENT RESOLUTION NO. 39

Relating to authorization for the issuance of bonds for certain state and university projects.

Whereas, the General Assembly is desirous of approving the construction, renovation, and maintenance of certain state projects to be funded in part by revenue bonds secured by a pledge of future appropriations to be made by the General Assembly:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby approve the following projects:

1. HVAC replacement in the Career Center at Moberly Area Community College: \$110,000;
2. Roof replacement of Andrew Komar, Jr. Hall at Moberly Area Community College: \$200,000;
3. HVAC replacement in Andrew Komar, Jr. Hall at Moberly Area Community College: \$700,000;
4. Window replacement in the Main Building at Moberly Area Community College: \$500,000;
5. Classroom remodeling in the Main Building at Moberly Area Community College: \$150,000;
6. Replacement of windows, electrical systems, the roof, and HVAC in Newton and McDonald Halls at Crowder College: \$1,900,000;
7. Replacement of a wheelchair lift at East Central College: \$15,000;
8. Replacement of brick caulking at East Central College: \$80,000;
9. Redesign of the Information Technology Support and Network Area at East Central College: \$220,000;
10. Rainwater repairs to the AC Building at East Central College: \$90,000;
11. Theater upgrades at East Central College: \$135,000;
12. Repavement and improvement of a walking trail at East Central College: \$80,000;
13. Resealing all parking lots at East Central College: \$75,000;
14. Replacing the roof of the Training Center at East Central College: \$90,000;
15. Asbestos removal at East Central College: \$125,000;
16. Update a firearms range at Jefferson College: \$675,000;
17. Replace instructional furnishing at Jefferson College: \$150,000;
18. Upgrades to Campus Student ID and Locking Systems at Jefferson College: \$250,000;
19. Restroom upgrades at Jefferson College: \$75,000;
20. HVAC systems repairs and replacements at Metropolitan Community College: \$3,500,000;
21. HVAC control systems repairs and replacements at Metropolitan Community College: \$300,000;
22. Roof repairs and replacements at Metropolitan Community College: \$1,700,000;
23. Fire panel repairs and replacements at Metropolitan Community College: \$400,000;
24. Upgrades to flooring and HVAC at Mineral Area College: \$250,000;
25. Roof replacement for the General Services Building at Mineral Area College: \$200,000;
26. Roof replacement for the Fire Academy Training Center at Mineral Area College: \$25,000;
27. Repair corral and cattle handling facilities at the Missouri Agricultural Experiment Station: \$90,000;
28. Upgrade the Swine Research Center Nursery at the Missouri Agricultural Experiment Station: \$90,000;
29. Replace the roof of the Soybean Breeding Building at the Missouri Agricultural Experiment Station: \$50,000;
30. Update sample processing areas at the Missouri Agricultural Experiment Station: \$75,000;
31. Replace the roof of the Research Cotton Gin Building at the Missouri Agricultural Experiment Station: \$90,000;

32. Geyer Hall renovations at North Central Missouri College: \$1,200,000;
33. HVAC and dehumidifier upgrades at the Lebanon Campus of Ozarks Technical Community College: \$60,000;
34. Tuckpoint and EIFS repairs at the Richwood Valley Campus of Ozarks Technical Community College: \$80,000;
35. Roof replacement at the Springfield Campus of Ozarks Technical Community College: \$1,200,000;
36. Roof repairs at the Springfield Campus of Ozarks Technical Community College: \$500,000;
37. Tuckpoint and EIFS repairs at the Springfield Campus of Ozarks Technical Community College: \$1,000,000;
38. Replacement of HVAC units at the Springfield Campus of Ozarks Technical Community College: \$1,100,000;
39. Parking lot paving and repairs at the Springfield Campus of Ozarks Technical Community College: \$500,000;
40. Chiller replacement at St. Charles Community College: \$350,000;
41. Replacement of kitchen equipment in the Student Center at St. Charles Community College: \$125,000;
42. Roof replacement for the College Center at St. Charles Community College: \$315,000;
43. Restroom renovations at St. Charles Community College: \$60,000;
44. Parking lot repairs at St. Charles Community College: \$120,000;
45. Boiler replacement at St. Charles Community College: \$100,000;
46. Automation of exterior doors for ADA compliance at St. Charles Community College: \$30,000;
47. Air handler upgrades at St. Charles Community College: \$50,000;
48. Upgrade of HVAC control systems at St. Charles Community College: \$30,000;
49. Lighting replacement in the Donald D. Shook Fine Arts Building at St. Charles Community College: \$40,000;
50. Elevator repairs at St. Louis Community College: \$1,265,000;
51. Science laboratory upgrades at St. Louis Community College: \$7,136,000;
52. Roof repairs at St. Louis Community College: \$2,660,000;
53. Boiler replacements at St. Louis Community College: \$350,000;
54. Lecture hall renovations at the Forest Park Campus of St. Louis Community College: \$1,200,000;
55. Roof replacement for the Potter-Ewing Agriculture Building at State Fair Community College: \$120,000;
56. Roof repair for the Melita Day Child Development Center at State Fair Community College: \$40,000;
57. Repair and resurfacing of the library courtyard at State Fair Community College: \$50,000;
58. Parking lot resurfacing at State Fair Community College: \$1,800,000;
59. Steps and landing replacement for the William C. Hopkins Student Services Center at State Fair Community College: \$25,000;
60. Sidewalk repairs at State Fair Community College: \$50,000;
61. HVAC replacement in the Daum Museum of Contemporary Art at State Fair Community College: \$60,000;
62. Roof replacement and insulation in the Westover Center for Science, Technology, Engineering and Math at Three Rivers College: \$260,000;
63. Interior and exterior lighting upgrades for the Westover Center for Science, Technology, Engineering and Math at Three Rivers College: \$480,000;
64. Laboratory safety station upgrades in the Westover Center for Science, Technology, Engineering and Math at Three Rivers College: \$50,000;
65. HVAC system upgrades in the Westover Center for Science, Technology, Engineering and Math at Three Rivers College: \$400,000;
66. Electric service and distribution updates in the Westover Center for Science, Technology, Engineering and Math at Three Rivers College: \$220,000;
67. Window replacements in the Westover Center for Science, Technology, Engineering and Math at Three Rivers College: \$100,000;

68. Flooring abatement and replacements in the Westover Center for Science, Technology, Engineering and Math at Three Rivers College: \$80,000;
69. Sprinkler system installation in the Westover Center for Science, Technology, Engineering and Math at Three Rivers College: \$150,000;
70. Fire alarm system installation in the Westover Center for Science, Technology, Engineering and Math at Three Rivers College: \$45,000;
71. Emergency lighting installation and replacement in the Westover Center for Science, Technology, Engineering and Math at Three Rivers College: \$25,000;
72. Sidewalk repairs and upgrades at the Westover Center for Science, Technology, Engineering and Math at Three Rivers College: \$60,000;
73. Restrooms and plumbing upgrades in the Westover Center for Science, Technology, Engineering and Math at Three Rivers College: \$120,000;
74. HVAC replacement of the Nilges Technology Center at Linn State Technical College: \$200,000;
75. Repairing settling issues of the Nilges Technology Center at Linn State Technical College: \$75,000;
76. Interior rehabilitation of the Nilges Technology Center at Linn State Technical College: \$250,000;
77. Parking lot repavement at Linn State Technical College: \$300,000;
78. Repair settling issues of the Vehicle and Power Center at Linn State Technical College: \$125,000;
79. Renovation of unsafe and obsolete laboratory space in the W. C. Morris Building at the University of Central Missouri: \$15,000,000;
80. Roof replacement of Crisp Hall, Rhodes Hall, Serena Building, Art Building, Show Me Center, Student Recreation Center South, Brandt Hall of Music, and the Boiler Plant at Southeast Missouri State University: \$2,166,667;
81. Replace windows in the Art Building, Crisp Hall, Serena Building, Brandt Hall of Music, Johnson Hall, and Pacific Hall at Southeast Missouri State University: \$2,166,667;
82. Replace mechanical, electrical, and plumbing systems and upgrade fire alarm systems in the Art Building, Johnson Hall, Serena Building, Brandt Hall, and Grauel Building at Southeast Missouri State University: \$6,500,000;
83. Exterior building envelope cleaning and sealing in the Art Building, Serena Building, Scully Building, Crisp Hall, and Dempster Hall at Southeast Missouri State University: \$2,166,666;
84. Maintenance and repairs of Ellis Hall at Missouri State University: \$7,581,818;
85. Maintenance and repairs of Hill Hall at Missouri State University: \$11,016,237;
86. Sprinkler system and fire alarm panel repairs and maintenance at the West Plains Campus of Missouri State University: \$220,000;
87. Maintenance of the Post Office Building at the West Plains Campus of Missouri State University: \$1,547,890;
88. HVAC piping and classroom refurbishment of Richardson Fine Arts Center at Lincoln University: \$1,175,280;
89. Exterior door and window repairs at Lincoln University: \$991,904;
90. Repairs and rehabilitations of Mitchell Hall at Lincoln University: \$1,288,885;
91. HVAC, flooring, and lighting upgrades for Violette Hall at Truman State University: \$6,500,000;
92. HVAC systems maintenance and repair for the Administration Building, B. D. Owens Library, Ron Houston Center for the Performing Arts, Everett W. Brown Education Hall, the Valk Center, and the Materials Distribution Center at Northwest Missouri State University: \$3,292,500;
93. Life safety issues upgrades for Everett W. Brown Education Hall, John T. Rickman Electronic Campus Support Center, Martindale Hall, B. D. Owens Library, and the Ron Houston Center for the Performing Arts at Northwest Missouri State University: \$2,010,000;
94. Structural engineering and tuckpointing at Northwest Missouri State University: \$1,700,000;
95. Replacement of chillers, absorbers, and associated panels at Northwest Missouri State University: \$480,000;
96. Electrical upgrades at Missouri Southern State University: \$1,998,817;

97. Campus safety enhancements at Missouri Southern State University: \$515,750;
98. Maintenance and repairs to fire alarm systems at Missouri Southern State University: \$1,310,000;
99. Maintenance and repairs to sprinkler systems at Missouri Southern State University: \$618,400;
100. Replacement of roofs, cutters, and vents at Missouri Southern State University: \$1,198,500;
101. Replacement of roofing systems at Missouri Western State University: \$1,887,589;
102. Replacement of HVAC units at Missouri Western State University: \$3,608,599;
103. Replacement of fire protection systems at Missouri Western State University: \$478,415;
104. Replacement of emergency generator in the School of Medicine at the University of Missouri - Kansas City: \$180,475;
105. Upgrade exit signs in the School of Medicine at the University of Missouri - Kansas City: \$208,199;
106. Installation of a fire sprinkler system in the School of Medicine at the University of Missouri - Kansas City: \$2,247,870;
107. Installation of a point addressable fire alarm system in Spencer Chemistry Building at the University of Missouri - Kansas City: \$272,248;
108. Installation of a fire sprinkler system in Spencer Chemistry Building at the University of Missouri - Kansas City: \$690,231;
109. HVAC system replacement in Spencer Chemistry Building at the University of Missouri - Kansas City: \$5,709,886;
110. Laboratory suite remodel in the School of Biological Sciences at the University of Missouri - Kansas City: \$3,878,464;
111. Capital renewal for Thomas and Nell Lafferre Hall at the University of Missouri - Columbia: \$6,835,599;
112. Deferred maintenance for Thomas and Nell Lafferre Hall at the University of Missouri - Columbia: \$20,085,753;
113. Plant adoptions for Thomas and Nell Lafferre Hall at the University of Missouri - Columbia: \$2,807,402;
114. Fire alarm system replacement for Waters Hall at the University of Missouri - Columbia: \$79,328;
115. Fire sprinkler system installation for Waters Hall at the University of Missouri - Columbia: \$327,764;
116. Waterproofing exterior foundation wall for Waters Hall at the University of Missouri - Columbia: \$71,512;
117. Addition of a secondary egress stairs for Waters Hall at the University of Missouri - Columbia: \$165,369;
118. Fume hood replacement in Waters Hall at the University of Missouri - Columbia: \$1,002,289;
119. Fire alarm system replacement in Mumford Hall at the University of Missouri - Columbia: \$84,193;
120. Fire sprinkler system installation in Mumford Hall at the University of Missouri - Columbia: \$417,435;
121. Addition of a secondary egress stairs for Mumford Hall at the University of Missouri - Columbia: \$138,570;
122. Water supply piping replacement in Stewart Hall at the University of Missouri - Columbia: \$433,901;
123. Drain piping replacement in Stewart Hall at the University of Missouri - Columbia: \$651,932;
124. Addition of a secondary egress stairs in Stewart Hall at the University of Missouri - Columbia: \$75,738;
125. Fire sprinkler system extension in Stewart Hall at the University of Missouri - Columbia: \$462,377;
126. Fire alarm system replacement in Stewart Hall at the University of Missouri - Columbia: \$67,910;
127. Fire alarm system replacement in Stadler Hall at the University of Missouri - St. Louis: \$313,061;
128. Fire sprinkler system installation in Stadler Hall at the University of Missouri - St. Louis: \$1,119,362;
129. Interior door upgrades in Stadler Hall at the University of Missouri - St. Louis: \$777,890;
130. Lecture room accessibility upgrades in Stadler Hall at the University of Missouri - St. Louis: \$12,238;
131. Upgrade electrical distribution network in Stadler Hall at the University of Missouri - St. Louis: \$2,027,499;
132. Restroom renovation in Benton Hall at the University of Missouri - St. Louis: \$171,737;
133. Replace electrical distribution equipment in Benton Hall at the University of Missouri - St. Louis: \$384,726;
134. Upgrade electrical distribution network in Benton Hall at the University of Missouri - St. Louis: \$2,748,406;

135. Fire alarm system replacement in Benton Hall at the University of Missouri - St. Louis: \$424,374;
136. Fire sprinkler system extension in Benton Hall at the University of Missouri - St. Louis: \$1,238,322;
137. Interior asbestos abatement in Benton Hall at the University of Missouri - St. Louis: \$751,248;
138. Boiler replacement in Benton Hall at the University of Missouri - St. Louis: \$304,921;
139. Replace chilled water generation equipment in Benton Hall at the University of Missouri - St. Louis: \$562,609;
140. Fume hood replacement in Benton Hall at the University of Missouri - St. Louis: \$1,110,109;
141. Water supply piping replacement in Benton Hall at the University of Missouri - St. Louis: \$1,602,737;
142. Drain piping replacement in Benton Hall at the University of Missouri - St. Louis: \$2,402,411;
143. Emergency generator and power network maintenance and repairs in Schrenk Hall East at Missouri University of Science and Technology: \$102,226;
144. Interior door upgrades in Schrenk Hall East at Missouri University of Science and Technology: \$147,152;
145. Fire alarm system replacement in Schrenk Hall East at Missouri University of Science and Technology: \$189,441;
146. Fire sprinkler system installation in Schrenk Hall East at Missouri University of Science and Technology: \$712,622;
147. Laboratory casework upgrades in Schrenk Hall East at Missouri University of Science and Technology: \$1,049,641;
148. Fume hood replacements in Schrenk Hall West at Missouri University of Science and Technology: \$4,066,351;
149. Laboratory casework upgrades in Schrenk Hall West at Missouri University of Science and Technology: \$1,405,285;
150. Replace lobby flooring in the Emerson Performance Center at Harris-Stowe State University: \$30,000;
151. Repair block wall in the Emerson Performance Center at Harris-Stowe State University: \$225,000;
152. Paint gymnasium walls in the Emerson Performance Center at Harris-Stowe State University: \$75,000;
153. Removal of hazardous materials from the former Vashon Community Center at Harris-Stowe State University: \$125,000;
154. Installation of thermal windows in the former Vashon Community Center at Harris-Stowe State University: \$65,000;
155. Replace vinyl floors in the Dr. Henry Givens, Jr. Administration Building at Harris-Stowe State University: \$175,000;
156. Repair parking lot of the Dr. Henry Givens, Jr. Administration Building at Harris-Stowe State University: \$55,000;
157. Maintenance and repair of perimeter fencing for the Dr. Henry Givens, Jr. Administration Building at Harris-Stowe State University: \$775,000;
158. Waterproofing of underground IT data room in the Dr. Henry Givens, Jr. Administration Building at Harris-Stowe State University: \$80,000;
159. Renovating IT operations in the Dr. Henry Givens, Jr. Administration Building at Harris-Stowe State University: \$30,000;
160. Upgrade security cameras at Harris-Stowe State University: \$60,000;
161. Replacement of the North River bridge on the Greenley Research Center at the Missouri Agricultural Experiment Station: \$200,000;
162. Roof system replacement at the B. W. Robinson State School in Rolla: \$404,320;
163. Chiller and boiler maintenance and repair at the Cedar Ridge State School in Nevada: \$503,844;
164. Flat roof replacement at College View State School in Joplin: \$210,832;
165. Repair exterior EFIS at Dale M. Thompson / Trails West State School in Kansas City: \$275,012;
166. Roof replacement at Gateway / Hubert Wheeler State School in St. Louis: \$309,494;
167. Ceiling and lighting maintenance and repairs at Gateway / Hubert Wheeler State School in St. Louis: \$348,720;
168. HVAC replacement at Gateway / Hubert Wheeler State School in St. Louis: \$851,912;
169. Replace flooring at Greene Valley State School in Springfield: \$238,316;
170. Installation of exit doors in H. Kenneth Kirchner State School in Jefferson City: \$117,636;
171. Roof replacement at H. Kenneth Kirchner State School in Jefferson City: \$91,511;

172. Replace fire alarm system at H. Kenneth Kirchner State School in Jefferson City: \$55,754;
173. Condenser and chiller barrel maintenance and repair at Lakeview Woods State School in Lee's Summit: \$197,130;
174. Roof replacement at Mapaville State School in Mapaville: \$580,016;
175. Retaining wall repair at Mississippi Valley State School in Hannibal: \$116,140;
176. Roof replacement at Missouri School for the Blind: \$821,543;
177. Tuckpointing and waterproofing at Missouri School for the Blind: \$816,661;
178. HVAC upgrades at Missouri School for the Blind: \$1,634,600;
179. Renovations to the Superintendent Residence at Missouri School for the Blind: \$375,440;
180. Renovation of the Superintendent Building at Missouri School for the Blind: \$733,036;
181. Gym and auditorium roof replacement at Missouri School for the Deaf: \$197,629;
182. Replace cooling tower at Missouri School for the Deaf: \$106,795;
183. Replace windows and exit doors in Tate Dormitory and Wheeler School Building at Missouri School for the Deaf: \$415,440;
184. Replace roof of Rice School Building at Missouri School for the Deaf: \$398,769;
185. Repair of roof top air conditioning units at New Dawn State School in Sikeston: \$348,720;
186. Replace HVAC System at Prairie View State School in Marshall: \$982,360;
187. Replace roof at Rolling Meadow State School in Higginsville: \$234,510;
188. Replace HVAC system at Rolling Meadow State School in Higginsville: \$982,360;
189. Replace windows and extension repairs at Rolling Meadow State School in Higginsville: \$114,146;
190. Replace fire alarm systems in various statewide state schools: \$382,080;
191. Replace HVAC system at Verelle Peniston State School in Chillicothe: \$518,300;
192. Correct electrical distribution at Bellefontaine Habilitation Center in St. Louis: \$518,600;
193. Repair leaking roofs at the Center for Behavioral Medicine in Kansas City: \$124,000;
194. Installation of a three-way valve for loop at the Center for Behavioral Medicine in Kansas City: \$279,776;
195. Renovations to the Highway Patrol Crime Laboratory: \$20,000,000;
196. Renovations to dormitories and classrooms at the Highway Patrol Academy: \$7,000,000;
197. Renovations to state parks: \$30,000,000;
198. Replace the HVAC system in the Main Building at Hawthorn Children's Psychiatric Hospital in St. Louis: \$6,834,894;
199. Replace roofs with metal on the Administration Building and Cottage B at Higginsville Habilitation Center: \$1,244,801;
200. Repair of roof top units, VAV's and DDC at the Kansas City Regional Office of the Department of Mental Health: \$1,032,908;
201. Improve life safety fire ratings at Metropolitan St. Louis Psychiatric Center: \$847,180;
202. Replace security gates at Northwest Missouri Psychiatric Rehabilitation Center: \$65,800;
203. Replace HVAC in Group Homes 1 to 6 at Northwest Missouri Psychiatric Rehabilitation Center: \$201,525;
204. Replace fire sprinkler system in the Rehabilitation Center at Northwest Missouri Psychiatric Rehabilitation Center: \$1,318,264;
205. Upgrade HVAC controls for the Rehabilitation Center at Northwest Missouri Psychiatric Rehabilitation Center: \$1,484,584;
206. Replace emergency generator in the Staples Building at Southeast Missouri Mental Health Center: \$1,113,850;
207. Foundation repair at the Springfield Regional Office of the Department of Mental Health: \$24,000;
208. Replace shingle and flat roof at the Springfield Regional Office of the Department of Mental Health: \$493,073;
209. Replace concrete road section at St. Charles Habilitation Center: \$25,000;
210. Repair door locksets in the Main Building at St. Louis Psychiatric Center: \$732,604;

211. Renovate restrooms at the Rolla Campus of the Missouri Geological Survey: \$274,327;
212. Repair emergency generator at the Rolla Campus of the Missouri Geological Survey: \$244,081;
213. Replace fence detection system at Algoa Correctional Center: \$614,155;
214. Replace fence detection systems at Algoa Correctional Center: \$1,158,464;
215. New sally port at Algoa Correction Center: \$382,080;
216. Replace elevator in the Support Building at Eastern Correctional Center: \$112,925;
217. Replace emergency generators at Eastern Correctional Center: \$532,270;
218. Install partition walls at Eastern Reception, Diagnostic and Correctional Center: \$1,710,440;
219. Boiler control replacement at Farmington Correctional Center: \$300,000;
220. Renovation of Building 28 at Farmington Correctional Center: \$3,628,887;
221. Replace roof and mechanical equipment at Fulton Reception, Diagnostic and Correctional Center: \$1,125,912;
222. Shower repair at Fulton Reception, Diagnostic and Correctional Center: \$333,297;
223. Sliding door replacement at Fulton Reception, Diagnostic and Correctional Center: \$224,176;
224. Tuckpoint and seal masonry at Fulton Reception, Diagnostic and Correctional Center: \$1,874,000;
225. Add ice builder to the Cook/Chill Facility at Jefferson City Correctional Center: \$847,452;
226. Replace steam lines at Maryville Treatment Center: \$1,355,755;
227. Replace windows in the Administration Building at Maryville Treatment Center: \$1,472,667;
228. Replace power plant generator at Moberly Correctional Center: \$3,815,500;
229. Replace heating loop at Northeast Correctional Center: \$2,998,170;
230. Replace power plant generator at Potosi Correctional Center: \$507,660;
231. Replace ballistic glass in Guard Towers 1 and 2 at South Central Correctional Center: \$155,232;
232. Replace perimeter security at Southeast Correctional Center: \$637,840;
233. Replace security system at Southeast Correctional Center: \$1,804,000;
234. Replace shingle roof at the St. Louis Community Release Center: \$368,030;
235. Replace heating and cooling coils at Western Missouri Correctional Center: \$550,000;
236. Replace kitchen floor in H Building at Camp Avery Park Camp: \$106,795;
237. Repairs to chiller and fan coil units at Oakview State School in Monett: \$518,917;
238. Building repairs at Delmina Woods Youth Facility: \$218,014;
239. Replace HVAC in the Core Building at Fulton Treatment Center: \$239,808;
240. Install sprinkler system at Green Gables Lodge Treatment Center: \$219,450;
241. New emergency generator at Green Gables Lodge Treatment Center: \$173,187;
242. Install emergency generator at Langsford House Youth Center: \$120,501;
243. Building improvement at Langsford House Youth Center: \$241,862;
244. Door, flooring, and stairway repairs at Missouri Hills Youth Center: \$61,347;
245. Dorm smoke barriers at Missouri Hills Youth Center: \$292,875;
246. Replace HVAC systems at Missouri Hills Youth Center: \$491,933;
247. Replace roofs at Montgomery City Youth Center: \$525,285;
248. Install emergency generator at Montgomery City Youth Center: \$120,059;
249. Roof replacement at Mount Vernon Treatment Center: \$456,002;

- 250. Replace roof of Multipurpose and Core Buildings at New Madrid Bend Youth Center: \$216,194;
- 251. Install emergency generator at Rich Hill Youth Development Center: \$173,187;
- 252. Replace HVAC at Riverbend Treatment Center: \$228,190;
- 253. Install ammonia treatment system at W. E. Sears Youth Center: \$1,226,950;
- 254. Replace windows in the Administration Building at Watkins Mill Park Camp: \$120,501;
- 255. Electrical improvements and upgrades to the Missouri State Fairgrounds: \$924,500;
- 256. Exterior renovations to the Coliseum at the Missouri State Fairgrounds: \$1,476,500;
- 257. Repairs and Maintenance of the Trenton Readiness Center: \$287,522;
- 258. Sewer line replacement at the Troop A Headquarters in Lee's Summit: \$251,681;
- 259. Replace VCT flooring at the Troop C Service Center in Park Hills: \$152,209;
- 260. Replace HVAC equipment at the Troop F CDL Super Site in St. Martins: \$99,904;
- 261. Install anti-wander guard systems for the Missouri Veterans Commission: \$2,362,500;
- 262. Install electronic medical record system for the Missouri Veterans Commission: \$2,362,500;
- 263. Partial floor replacement at the St. Louis Veterans Home: \$50,000;
- 264. Repairs and maintenance at various sites for the Missouri Veterans Commission: \$13,944,909;
- 265. Replace and reseal window gaskets in the Capitol Building: \$910,000;
- 266. Overlay of South Drive / Tunnel Drive at the Capitol Building: \$3,076,000;
- 267. Replace bollard system at the Capitol Building: \$426,282;
- 268. North Plaza area repairs at the Capitol Building: \$3,104,000;
- 269. Chiller water and control repairs at the Capitol Building: \$480,160;
- 270. Overlay various parking lots at state facilities: \$1,175,200;
- 271. Replace fire alarm system at the Howerton State Office Building: \$892,678;
- 272. Replace 3 cooling towers at the Environmental Control Center: \$2,096,500;
- 273. Raise and stabilize floor of the Environmental Services Protection Lab: \$37,852;
- 274. Exhaust fans replacement at the Environmental Services Protection Lab: \$170,800;
- 275. Pavement work at the Fletcher Daniels State Office Building: \$306,464;
- 276. Maintenance and repairs to the Governor's Residence: \$2,000,000;
- 277. Electrical modernization of the Hannibal Career Center: \$182,350;
- 278. ITSD space renovation at the Harry S Truman State Office Building: \$1,700,000;
- 279. Cooling tower repairs at the James C. Kirkpatrick State Information Center: \$554,440;
- 280. Installation of carbon dioxide fire suppression system in the Petroleum/Octane Laboratory at the George Washington Carver State Office Building: \$148,848;
- 281. Tank replacement in the Petroleum/Octane Laboratory at the George Washington Carver State Office Building: \$122,664;
- 282. Replace roof and HVAC units at the Department of Labor and Industrial Relations Building in Jefferson City: \$736,530;
- 283. Asbestos repairs at the Jefferson State Office Building: \$2,501,500;
- 284. Fire alarm system repairs at the Jennings State Office Building: \$153,723;
- 285. Electrical distribution repairs at the Missouri Career Center in Joplin: \$182,350;
- 286. Replace oversized boilers at the State Public Health Laboratory: \$779,620;
- 287. Repair roof top units at the North St. Louis County Service Center: \$400,428;



- 288. Repair fire alarm system at the North St. Louis County Service Center: \$146,723;
- 289. Repair electrical distribution system at the Sedalia Workforce Development Board Building: \$182,350;
- 290. Roof repairs at the Sikeston Career Center: \$181,679;
- 291. Electrical distribution repairs at the Sikeston Career Center: \$184,200;
- 292. Repairs to two roof top units at the South St. Louis County Service Center: \$503,844;
- 293. Repairs to condensing unit and coil at the St. Joseph Career Center: \$92,998;
- 294. Repairs to fire alarm system at the St. Louis Career Center: \$170,188;
- 295. Repairs to electrical distribution system at the St. Louis Career Center: \$184,200;
- 296. Replace HVAC roof top units at the St. Louis State Office Building: \$504,000;
- 297. Tuckpoint masonry at the Riverside Collection and Warehouse in Jefferson City: \$210,832;
- 298. Upgrade fire system in the Supreme Court Building: \$557,500;
- 299. Electrical system expansion in the Truman State Office Building: \$279,776;
- 300. Exterior masonry repairs at the Wainwright State Office Building: \$607,260;
- 301. Renovate St. Mary's Hospital for use by Lincoln University: \$10,000,000;
- 302. Repair roof top air conditioning units at Parkview State School in Cape Girardeau: \$555,552;
- 303. Construct a new mental health hospital building at Fulton State Hospital: \$200,000,000; and

Be It Further Resolved that the members of the Missouri General Assembly state the intent of the General Assembly, during each fiscal year of the state during the term of such revenue bonds, to appropriate funds sufficient to pay the debt service on such revenue bonds; and

Be It Further Resolved that the members of the Missouri General Assembly authorize and direct the Office of Administration and such other state departments, offices and agencies as the Office of Administration may deem necessary or appropriate to:

1. Assist the staff and advisors of the various state agencies in implementing the projects and in issuing such revenue bonds for the state's share of the project costs; and
2. Execute and deliver documents and certificates related to such revenue bonds consistent with the terms of this concurrent resolution; and

Be It Further Resolved that revenue bonds issued due to the increase of cap amounts in sections 8.420 and 8.665 occurring on August 28, 2014, shall only be issued to fund the projects listed in this resolution; and

Be It Further Resolved that the funding of these state projects may generate private financial support to provide opportunities for additional construction at higher education institutions; and

Be It Further Resolved that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 34**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 992**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 966**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 11**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **HCR 20**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 852**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 704**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 758**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, Senator Richard submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 873**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 844**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 641**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 869**, begs leave to report that it has considered the same and recommends that the bill do pass.

### **MESSAGES FROM THE HOUSE**

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1617**, entitled:

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations, with an effective date and a referendum clause.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Senator Kehoe assumed the Chair.

### **REFERRALS**

President Pro Tem Dempsey referred **SCR 41** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

### **HOUSE BILLS ON SECOND READING**

The following Bills were read the 2nd time and referred to the Committees indicated:

**HB 2029**—Ways and Means.

**HCS for HB 1189**—Education.

**HCS for HB 1779**—Veterans' Affairs and Health.

**HCS for HB 1685**—Veterans' Affairs and Health.

**HB 1642**—Small Business, Insurance and Industry.

**HCS for HB 1225**—Small Business, Insurance and Industry.

**HB 1723**—Transportation and Infrastructure.

**HCS for HB 1218**—Financial and Governmental Organizations and Elections.

**HCS for HB 1091**—Jobs, Economic Development and Local Government.

**HCS for HB 1374**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HBs 1735 & 1618**—Commerce, Consumer Protection, Energy and the Environment.

**HCS for HB 1729**—Jobs, Economic Development and Local Government.

**HCS for HB 1631**—Commerce, Consumer Protection, Energy and the Environment.

**HB 1245**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HB 1447**—Transportation and Infrastructure.

**HCS for HBs 1665 & 1335**—General Laws.

**HB 1693**—Governmental Accountability and Fiscal Oversight.

**HCS for HBs 1861 & 1864**—Governmental Accountability and Fiscal Oversight.

**HB 1651**—Governmental Accountability and Fiscal Oversight.

**HCS for HB 1514**—Seniors, Families and Pensions.

**HB 1602**—Governmental Accountability and Fiscal Oversight.

**HB 1724**—Veterans' Affairs and Health.

**HB 1804**—Commerce, Consumer Protection, Energy and the Environment.

**HB 1184**—Seniors, Families and Pensions.

**HCS for HB 1389**—Education.

**HB 1456**—General Laws.

**HB 1547**—General Laws.

**HB 1603**—Veterans' Affairs and Health.

**HB 1553**—Jobs, Economic Development and Local Government.

**HB 1673**—Transportation and Infrastructure.

**HB 1692**—Jobs, Economic Development and Local Government.

**HB 1707**—Transportation and Infrastructure.

**HB 1712**—Small Business, Insurance and Industry.

**HCS for HB 1831**—Small Business, Insurance and Industry.

**HB 1835**—Seniors, Families and Pensions.

**HB 1866**—Transportation and Infrastructure.

## COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

April 3, 2014

The Honorable Peter Kinder  
President, Missouri Senate  
State Capitol Building  
Jefferson City, Missouri 65101

Dear Lt. Governor Kinder:

I respectfully resign my Senate seat, District 2, effective 9:59 am, April 3, 2014.

Thank you.

Sincerely,  
/s/ Scott T. Rupp  
Senator Scott T. Rupp  
District 2

Also,

April 3, 2014

Terry Spieler  
Secretary of the Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler,

Due to the resignation of Senator Scott Rupp, please be advised that I have appointed Senator John Lamping to the Senate Standing Committee on Education.

Please do not hesitate to contact me should you have any questions.

Sincerely,  
/s/ Tom Dempsey  
Tom Dempsey

## **RESOLUTIONS**

Senator Pearce offered Senate Resolution No. 1733, regarding F&C Bank, Warrensburg, which was adopted.

Senator Nieves offered Senate Resolution No. 1734, regarding the Seventy-third Anniversary of the Missouri Civil Air Patrol, which was adopted.

Senator Nieves offered Senate Resolution No. 1735, regarding William Robert McKeough, Grover, which was adopted.

Senator Silvey offered Senate Resolution No. 1736, regarding Walter Orr, Kansas City, which was adopted.

Senator Parson offered Senate Resolution No. 1737, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Ed Goodin, Conway, which was adopted.

Senator Parson offered Senate Resolution No. 1738, regarding 2013-2014 state champions El Dorado Springs High School Lady Basketball Bulldogs, which was adopted.

## **INTRODUCTIONS OF GUESTS**

Senator Brown introduced to the Senate, James Rowland, Fawn Whittle, Logan Ishmael and Matt Schroer, representatives of Farm Bureau Youth Leadership Day, Crocker High School.

Senator Nieves introduced to the Senate, President Joan Magruder, Ashley Slater, Mirdhula Ananthamurugan, Cooper Kennelly and Elizabeth Schwartz, representatives of St. Louis Children's Hospital.

Senator Lamping introduced to the Senate, Laurie and Norm Roethlisberger, and their children, Caroline, Elizabeth and Kurt, St. Louis.

Senator Dempsey introduced to the Senate, former State Senator Scott Rupp, his wife, Carissa, their children, Noelle and Scottie Rupp, and Haley, Emily and Christian Mattern; his parents, Chet and Eleanor Rupp; and Arthur and Ruthie Schaper.

Senator Richard introduced to the Senate, Mark Keenen, Barbara Hunter, Chesnie Philpot, Sierra Butler, Hailey Gilbreath, Richard Jacobs and Brandon Dutton, representatives of Farm Bureau Youth Leadership, Jasper County.

Senator Wallingford introduced to the Senate, Karen James, Taylor Wyatt, Erica Overton, Cheyenne Ricketts, Emily Seiler and Bailee Cope, representatives of Farm Bureau Youth Leadership, Bollinger County.

Senator Emery introduced to the Senate, Mary Fischer, Tammy Rapp, Jacob Rapp, Hagen Fischer and

Jackson Ogburn, representatives of Farm Bureau Youth Leadership, Bates County.

Senator Emery introduced to the Senate, Kayleigh Fosnow, Cade Fosnow, Alicia Eldred, Tymor Lynde and Taylor Bush, representatives of Farm Bureau Youth Leadership, Henry County.

Senator Cunningham introduced to the Senate, representatives of Farm Bureau Youth Leadership, Ozark and Webster Counties.

Senator Wallingford introduced to the Senate, Howard Hall, Scott City.

On behalf of Senator Munzlinger and himself, Senator Sifton introduced to the Senate, Pat, Tammy and Vin Kriegshauser, Kirksville.

Senator Sater introduced to the Senate, Yia Yang, Macky McNabb, Morgan Mitchell, Colton Dilbeck, Keenan Roller, Devon Blevins, Jessica Hartman and Todd Mitchell, representatives of Farm Bureau Youth Leadership, Barry County.

Senator Sater introduced to the Senate, Jon Herbert, Ea Swindle, Jasmin Bowling, Calista Morgan and Karla Deaver, representatives of Farm Bureau Youth Leadership, Lawrence County.

Senator Kehoe introduced to the Senate, Ben Knipp, Grant Huhmann, Stephanie Birkman, Alden Rohrbach and Sandy Knipp, representatives of Farm Bureau Youth Leadership, Moniteau County.

Senator Kehoe introduced to the Senate, Brian Lehman, Dwayne Schad and representatives of Farm Bureau Youth Leadership, Morgan County.

Senator Parson introduced to the Senate, Glen Raef, Lynn Stowe, Baleigh Raef and Carrie Sanwald, representatives of Farm Bureau Youth Leadership, Laclede County.

Senator Parson introduced to the Senate, Paula Rodabaugh, Livie Garrison, Colton Wilkins, Caiden Wilkins and Bethany Quessenberry, representatives of Farm Bureau Youth Leadership, St. Clair County.

Senator Parson introduced to the Senate, Peggy Kenny, Likayla Stacy and Tyler Dodson, representatives of Farm Bureau Youth Leadership, Cedar County.

Senator Parson introduced to the Senate, Trent Drake, Ellie Radford, Caleb Trujillo, Brittany Davis, Sam Sergeant, Chloe Harper and Sally Hinkle, representatives of Farm Bureau Youth Leadership, Polk County.

Senator Kehoe introduced to the Senate, chaperones Gene and Janice Martin, Jocelyn Kramer, Codi Stillwell, Summer Rush and John Sparrow, representatives of Farm Bureau Youth Leadership, Miller County.

Senator Cunningham introduced to the Senate, members of the Summersville Student Council; and representatives of Farm Bureau Youth Leadership, Texas County.

Senator Brown introduced to the Senate, Jason Long, Dustin Armistead, Sara Crum, Kaitlyn Ledbetter, Jacob Black and Scott Hedges, representatives of Farm Bureau Youth Leadership, Pulaski County.

Senator Pearce introduced to the Senate, Lance Martin, Brandon Cook, Garith Felton, Katlyn Hamilton, Timber Ballantyne, Derek Eckert and Cal Toedebusch, Farm Bureau Youth Leadership, Livingston County.

Senator Pearce introduced to the Senate, Joe Robinson, Martin Griffin, Kaitlyn Rowan, Colby Yoakum, Aaron Shank, Eli Stone and Daniel White, representatives of Farm Bureau Youth Leadership, Ray County.

Senator Pearce introduced to the Senate, Cara Reikhof, Jillian Bertz and Samuel Fahrmeier, representatives of Farm Bureau Youth Leadership, Lafayette County.

Senator Pearce introduced to the Senate, Don Honeycut, Kaitlin Arnold and Colton Guthrie, representatives of Farm Bureau Youth Leadership, Ray County.

Senator Pearce introduced to the Senate, Darren Farmer, Adriana Segar, Sidney Copeland, Madison Curp, Skylar Howe and Jessica Farmer, representatives of Farm Bureau Youth Leadership, Ray and Caldwell Counties.

On behalf of Senator Munzlinger and himself, Senator Pearce introduced to the Senate, Ian Davidson, Allisson Hamilton, Malory Gardner, Kirsten Brown, Shelby Trussell, Austin Enyeart, Cody Meyer and Cody Weisz, representatives of Farm Bureau Youth Leadership, Chariton and Carroll Counties.

Senator Lager introduced to the Senate, representatives of Farm Bureau Youth Leadership, Nodaway County.

Senator Romine introduced to the Senate, Officers George Gross, Elijah Wilkinson, Amanda Fasnut and Chris Mathis; and Megann Finley, representatives of Farm Bureau Youth Leadership, Potosi.

Senator Keaveny introduced to the Senate, Bill Mermis and forty-eight fourth grade students from Forsyth School.

Senator Nieves introduced to the Senate, Erica Schwoeppe, Labadie; Jennifer Horn and Howie Bond, Leslie; Austin Scheer, New Haven; Ryan Overschmidt and Julia Sedlacek, Union; and Velma Eckstein, Beaufort.

Senator Justus introduced to the Senate, representatives of Farm Bureau Youth Leadership, Audrain County.

Senator Pearce introduced to the Senate, Tina Tate and fourth grade students from Holden Elementary.

Senator Schaefer introduced to the Senate, representatives of Farm Bureau Youth Leadership, Centralia.

Senator Parson introduced to the Senate, Dale Nelson, Jim Hamilton, Brady Deckard, Ben Quisenberry, Kelsey Hayes, Lauren Stewart, Hannah Rumfelt and Emily Owens, representatives of Farm Bureau Youth Leadership, Dallas County.

Senator Cunningham introduced to the Senate, David Stubblefield and representatives of Farm Bureau Youth Leadership, Oregon County.

Senator Emery introduced to the Senate, Matt Moreland, Jack McCleave and Morgan Hoenshell, representatives of Farm Bureau Youth Leadership, Cass County.

Senator Kehoe introduced to the Senate, Terry Shepard, Alicia Corson Peters and representatives of Farm Bureau Youth Leadership, Osage County.

On motion of Senator Richard, the Senate recessed until 4:00 p.m., Monday, April 7, 2014.

SENATE CALENDAR

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FORTY-SEVENTH DAY—MONDAY, APRIL 7, 2014

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1897-Kolkmeier	HB 1744-Walton Gray, et al
HB 1968-Gosen	HCS for HB 1745
HCS for HB 2040	HB 1775-Colona and Hodges
HB 1380-Peters and Ellington	HCS for HB 1302
HCS for HB 1605	HCS for HB 1326
HB 2028-Peters, et al	HB 1617-Rehder, et al
HB 1670-Dunn, et al	

THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt (In Fiscal Oversight)	SB 812-Parson
SCS for SB 729-Romine	SB 818-Kehoe
SCS for SB 785-Kehoe	SCS for SB 854-Wasson

SENATE BILLS FOR PERFECTION

1. SB 850-Munzlinger and Holsman, with SCS	14. SB 841-Wasson, with SCS
2. SB 892-Kraus, with SCS	15. SB 919-Justus
3. SB 809-Wasson, with SCS	16. SBs 787 & 804-Justus, with SCS
4. SB 706-Cunningham, with SCS	17. SB 795-Lager
5. SB 500-Keaveny	18. SB 887-Schaefer
6. SB 695-Keaveny	19. SB 538-Keaveny and Holsman
7. SJR 26-Lager	20. SB 786-Schmitt
8. SB 890-Kehoe	21. SBs 638 & 647-Romine, with SCS
9. SB 754-Sater and Justus	22. SB 578-Kraus
10. SB 617-Rupp and Parson, with SCS	23. SB 655-Kraus
11. SB 755-Wallingford	24. SB 659-Wallingford, with SCS
12. SB 769-Pearce, with SCS	25. SB 717-Brown
13. SB 830-Parson	26. SB 794-Chappelle-Nadal



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|--|------------------------------|
| 27. SB 866-Wasson and Cunningham       | 40. SB 642-Romine, with SCS  |
| 28. SB 824-Dixon, with SCS             | 41. SB 848-LeVota, with SCS  |
| 29. SB 724-Parson                      | 42. SB 566-Sifton            |
| 30. SB 550-Sater, with SCS             | 43. SB 992-Dempsey           |
| 31. SB 819-Wallingford, with SCS       | 44. SB 966-Lager             |
| 32. SBs 836 & 800-Munzlinger, with SCS | 45. SB 852-Schmitt, with SCS |
| 33. SB 842-Parson                      | 46. SB 704-Lager, with SCS   |
| 34. SB 860-Cunningham                  | 47. SB 758-Justus            |
| 35. SB 891-Kehoe                       | 48. SB 873-Brown, with SCS   |
| 36. SB 762-Schaefer, with SCS          | 49. SB 844-Dixon             |
| 37. SB 875-Sater, with SCS             | 50. SB 641-Emery             |
| 38. SB 671-Sater                       | 51. SB 869-Schmitt           |
| 39. SB 634-Parson, with SCS            |                              |

### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

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|--|---|
| SB 490-Lager and Kehoe, with SCS                         | SB 663-Munzlinger, with SCS   |
| SB 491-Justus and Dixon, with SCS<br>(pending)           | SB 692-Wasson, with SA 1 (pending)                                    |
| SB 501-Keaveny   | SB 712-Walsh, with SCS & SS for SCS<br>(pending)                      |
| SB 518-Sater, with SCS, SA 2 & SA 1 to<br>SA 2 (pending) | SB 734-Cunningham   |
| SB 519-Sater, with SS & SA 1 (pending)                   | SB 739-Romine, with SCS, SS for SCS, SA 1 &<br>SA 1 to SA 1 (pending) |
| SS for SB 543-Munzlinger                                 | SB 774-Dempsey, with SCS  |
| SB 553-Emery, with SCS (pending)                         | SB 790-Dixon, with SA 3 & point of order<br>(pending)                 |
| SB 555-Nasheed, with SS & SA 1 (pending)                 | SB 814-Brown  |
| SB 573-Munzlinger, with SCS                              | SB 846-Richard  |
| SB 575-Dixon   | SJR 25-Lager  |
| SB 589-Brown, with SCS, SA 2 & SA 1 to<br>SA 2 (pending) | SJR 34-Emery  |
| SB 599-Kraus, with SCS & SA 2 (pending)                  | SJR 42-Schmitt, with SS (pending)                                     |
| SB 644-LeVota  |   |

#### BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

##### In Conference

HB 2014-Stream, with SCS (Schaefer)

RESOLUTIONS

Reported from Committee

SCR 34-LeVota

SCR 39-Parson, with SCS

HCR 5-English, et al (Walsh)

HCR 11-Walton Gray, et al

HCS for HCR 20

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# Journal of the Senate

## SECOND REGULAR SESSION

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**FORTY-SEVENTH DAY—MONDAY, APRIL 7, 2014**

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The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Gratitude is the most fruitful way of deepening your consciousness that you are not an “accident” but a divine choice.” (Henri Nouwen)

Almighty God, we are filled with gratitude for all You do. We thank You for our safe travel to continue our work. We are thankful for the needed rain; for many parts of our state are still in need. We are thankful for our staff who serve us and our constituents and their various needs. We are thankful for loved ones and the gift of their love. And, we are thankful for all the gifts You continue to provide us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 3, 2014 was read and approved.

The following Senators were present during the day’s proceedings:

**Present—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

Absent—Senators—None

Absent with leave—Senator Nieves—1

Vacancies—2

## RESOLUTIONS

Senator Curls offered Senate Resolution No. 1739, regarding Reverend Dr. Otis Moss, Jr., Cleveland,

Ohio, which was adopted.

Senator Curls offered Senate Resolution No. 1740, regarding Reverend Emanuel Cleaver, II, Kansas City, which was adopted.

Senator Sifton offered Senate Resolution No. 1741, regarding Dan Lamping, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1742, regarding Joan Wright, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1743, regarding Jacqui Schilling, Webster Groves, which was adopted.

Senator Sifton offered Senate Resolution No. 1744, regarding Jennifer Walker, Barnhart, which was adopted.

Senator Sifton offered Senate Resolution No. 1745, regarding Amber Dressel, St. Louis, which was adopted.

Senator Curls offered Senate Resolution No. 1746, regarding George W. Norman, Jr., which was adopted.

Senator Sifton offered Senate Resolution No. 1747, regarding William John Michael Franklin, which was adopted.

Senator Wasson offered Senate Resolution No. 1748, regarding Mrs. Lori Rosander and the 2013-2014 Kindergarten Class at Ozark East Elementary School, which was adopted.

Senator Schmitt offered the following resolution:

SENATE RESOLUTION NO.1749

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Missouri Senate has a long tradition of rendering assistance to those organizations that sponsor projects in the interest of good citizenship; and

WHEREAS, the 2014 Missouri Youth Leadership Forum for Students with Disabilities, sponsored by the Governor's Council on Disability and the Missouri Planning Council for Developmental Disabilities, is an educational experience in state government for high school juniors and seniors with disabilities by allowing such youth to participate in the democratic process:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-seventh General Assembly, hereby grant the 2014 Missouri Youth Leadership Forum for Students with Disabilities permission to use the Senate Chamber on Tuesday, July 22, 2014 from 2:00 p.m. to 3:30 p.m. for the purpose of holding a mock legislative session.

Senator Schmitt requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1749** up for adoption, which request was granted.

On motion of Senator Schmitt, **SR 1749** was adopted.

Senator Schmitt, joined by the entire membership, offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO.1750

Whereas, the members of the Missouri Senate always welcome the opportunity to acknowledge milestone events in the lives of Show-Me State cultural icons who for many years lived and worked in this great state; and

Whereas, Tony La Russa will be inducted into the National Baseball Hall of Fame in Cooperstown, New York, on July 27, 2014, after having managed 5,097 Major League Baseball games; winning the third-most regular season games of all time with 2,728; and earning 70 postseason victories and three World Series trophies; and

Whereas, born in Tampa, Florida, on October 4, 1944, Tony La Russa graduated from Jefferson High School, earned a degree in industrial management from the University of South Florida and a Juris Doctorate from Florida State University, and is a member of the Florida State Bar; and

Whereas, Tony La Russa signed with the Kansas City Athletics following high school graduation and officially retired as an active player in 1977; and

Whereas, one of only five lawyer/managers in baseball history, Tony La Russa began his big league managerial career with the Chicago White Sox in 1979 and won his first division title in 1983; and

Whereas, Tony La Russa moved to the Oakland A's in 1986 and won two league titles and his first World Series in 1989; and

Whereas, Tony La Russa remained with the Cardinals franchise for 16 years and won the most games in franchise's storied history with 1,408 while also winning two World Series titles; and

Whereas, Tony La Russa retired from Cardinals baseball on October 31, 2011, and in 2012 was only the second retired manager in baseball history to coach an MLB All-Star team; and

Whereas, cofounder of the Animal Rescue Foundation, Tony La Russa has developed and maintained an excellent reputation for his additional efforts with animal rescue, children, and education issues and with community-minded organizations; and

Whereas, the ARF saves the lives of countless animals when their time has run out in public shelters through the use of adoption, emergency veterinary assistance, a national resource center, and dog training and other services and works diligently to ensure animals are not put to death; and

Whereas, Tony La Russa is justifiably proud also to be known as the beloved husband of Elaine, the loving father of two daughters, and the wonderful companion for a menagerie of dogs and cats:

Now, Therefore, Be It Resolved that we, the members of the Missouri Senate, Ninety-seventh General Assembly, join to applaud the well-deserved selection of Tony La Russa for induction into the National Baseball Hall of Fame in 2014 and to convey to him this legislative body's most heartfelt best wishes for continued success in life for many more years to come; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for presentation to Tony LaRussa of Alamo, California.

Senator Walsh offered Senate Resolution No. 1751, regarding Marcia Pfeiffer, Ph.D., St. Louis, which was adopted.

Senator Cunningham offered Senate Resolution No. 1752, regarding Loyd L. Mitchell, Summersville, which was adopted.

Senator Cunningham offered Senate Resolution No. 1753, regarding Jennifer Moore Davidson, which was adopted.

Senator Cunningham offered Senate Resolution No. 1754, regarding Mariah Gregg, Thayer, which was adopted.

Senator Brown offered Senate Resolution No. 1755, regarding Jared Horman, Camdenton, which was adopted.

Senator Richard offered Senate Resolution No. 1756, regarding the 2013-2014 Class 3 State Champions Neosho High School Wrestling Team, which was adopted.

Senator Romine offered Senate Resolution No. 1757, regarding Kathy L. Anders, which was adopted.

Senator Romine offered Senate Resolution No. 1758, regarding Lisa Welker, which was adopted.

Senator Romine offered Senate Resolution No. 1759, regarding Michelle Isermann, which was adopted.

Senator Romine offered Senate Resolution No. 1760, regarding Rebecca A. Voyles, DeSoto, which was adopted.

Senator Romine offered Senate Resolution No. 1761, regarding Dorothy Young, which was adopted.

Senator Romine offered Senate Resolution No. 1762, regarding Mary Porter, which was adopted.

Senator Romine offered Senate Resolution No. 1763, regarding Gale Landers, which was adopted.

Senator Romine offered Senate Resolution No. 1764, regarding Sherry Stehr, which was adopted.

Senator Romine offered Senate Resolution No. 1765, regarding Linda Herndon, which was adopted.

Senator Romine offered Senate Resolution No. 1766, regarding Diana Honold, which was adopted.

Senator Romine offered Senate Resolution No. 1767, regarding The Doe Run Company, which was adopted.

Senator Lager offered Senate Resolution No. 1768, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Harold Lewis, Graham, which was adopted.

Senator Lager offered Senate Resolution No. 1769, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bob Campbell, Laredo, which was adopted.

### **CONCURRENT RESOLUTIONS**

**SCR 39**, introduced by Senator Parson, with **SCS**, entitled:

Relating to authorization for the issuance of bonds for certain state and university projects.

Was taken up for 3rd reading and final passage.

**SCS** for **SCR 39**, entitled:

Relating to authorization for the issuance of bonds for certain state and university projects.

Was taken up.

Senator Parson moved that **SCS** for **SCR 39** be adopted.

Senator Parson offered **SA 1**:

### **SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for Senate Concurrent Resolution No. 39, as it appears on Page 738 of the Senate Journal for Thursday, April 3, 2014, Line 35 of said journal page, by striking the following: “flooring, and lighting upgrades for Violette Hall” and inserting in lieu thereof the following: “electrical systems, and fire alarm upgrades for Baldwin Hall”; further amend line 41, by striking “\$1,700,00” and inserting in lieu thereof the following: “\$1,700,000”.

Senator Parson moved that the above amendment be adopted, which motion prevailed.

Senator Parson moved that **SCS** for **SCR 39**, as amended, be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Parson, **SCR 39**, as amended by the **SCS**, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Lager	LeVota	Libla	Munzlinger	Nasheed	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Sifton	Silvey
Wallingford	Walsh—26						

NAYS—Senators

Emery	Kraus	Lamping	Schmitt—4
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Absent—Senators—None

Absent with leave—Senators

Nieves	Wasson—2
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Vacancies—2

The President declared the concurrent resolution passed.

On motion of Senator Parson, title to the concurrent resolution was agreed to.

Senator Parson moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1439**, entitled:

An Act to repeal sections 1.320, 21.750, 84.340, 571.030, 571.080, 571.101, 571.107, 571.111, 571.117, 590.010, and 590.205, RSMo, and to enact in lieu thereof twenty-four new sections relating to firearms, with penalty provisions, a contingent effective date for a certain section and an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1237**, entitled:

An Act to repeal section 143.183, RSMo, and to enact in lieu thereof one new section relating to nonresident entertainer income taxes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1235** and **1214**, entitled:

An Act to repeal sections 301.010 and 304.180, RSMo, and to enact in lieu thereof two new sections relating to vehicles hauling livestock and agricultural products.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### REFERRALS

President Pro Tem Dempsey referred **SB 812** to the Committee on Governmental Accountability and Fiscal Oversight.

### SENATE BILLS FOR PERFECTION

Senator Justus moved that **SB 491**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Justus offered **SS** for **SCS** for **SB 491**, entitled:

#### SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 491

An Act to repeal sections 160.261, 167.115, 167.171, 168.071, 195.005, 195.010, 195.015, 195.017, 195.025, 195.030, 195.040, 195.050, 195.080, 195.100, 195.110, 195.130, 195.135, 195.140, 195.150, 195.180, 195.190, 195.195, 195.198, 195.202, 195.204, 195.211, 195.212, 195.213, 195.214, 195.217, 195.218, 195.219, 195.222, 195.223, 195.226, 195.233, 195.235, 195.241, 195.242, 195.246, 195.248, 195.252, 195.254, 195.256, 195.275, 195.280, 195.285, 195.291, 195.292, 195.295, 195.296, 195.367, 195.369, 195.371, 195.375, 195.417, 195.418, 195.420, 195.501, 195.503, 195.505, 195.507, 195.509, 195.511, 195.515, 198.070, 210.117, 210.1012, 211.038, 217.010, 217.360, 217.364, 217.703, 217.735, 217.785, 221.025, 221.111, 260.211, 302.020, 302.309, 302.321, 302.540, 302.541, 302.700, 302.780, 303.025, 306.110, 306.111, 306.112, 306.114, 306.116, 306.117, 306.118, 306.119, 306.141, 311.325, 556.011, 556.016, 556.021, 556.022, 556.026, 556.037, 556.051, 556.056, 556.061, 556.063, 557.016, 557.021, 557.026, 557.035, 557.036, 557.041, 557.046, 558.011, 558.016, 558.018, 558.019, 558.041, 558.046, 559.036, 559.100, 559.106, 559.115, 559.600, 559.633, 560.011, 560.016, 560.021, 560.026, 560.031, 560.036, 564.011, 564.016, 565.002, 565.004, 565.021, 565.024, 565.025, 565.050, 565.060, 565.063, 565.065, 565.070, 565.072, 565.073, 565.074, 565.075, 565.080, 565.081, 565.082, 565.083, 565.084, 565.085, 565.086, 565.090, 565.092, 565.095, 565.100, 565.110, 565.115, 565.120, 565.130, 565.140, 565.149, 565.150, 565.153, 565.156, 565.160, 565.163, 565.165, 565.169, 565.180, 565.182, 565.184, 565.186, 565.188, 565.190, 565.200, 565.210, 565.212, 565.214, 565.216, 565.218, 565.220, 565.225, 565.250, 565.252, 565.253, 565.255, 565.350, 566.010, 566.013, 566.020, 566.023, 566.030, 566.032, 566.060, 566.062, 566.067, 566.068, 566.083, 566.086, 566.093, 566.100, 566.101, 566.135, 566.140, 566.141, 566.145, 566.147, 566.148, 566.149, 566.150, 566.153, 566.155, 566.209, 566.212, 566.213, 566.215, 566.218, 566.221, 566.224, 566.226, 566.265, 567.010, 567.020, 567.030, 567.040, 567.070, 567.080, 567.085, 567.087, 567.110, 568.020, 568.030, 568.032, 568.040, 568.045, 568.050, 568.052, 568.060, 568.070, 568.080, 568.090, 568.100, 568.120, 569.010, 569.020, 569.025, 569.030, 569.035, 569.060, 569.065, 569.067, 569.070, 569.072, 569.090, 569.094, 569.095, 569.097, 569.099, 569.100, 569.145, 570.010, 570.020, 570.030, 570.033, 570.040, 570.050, 570.055, 570.080, 570.085, 570.087, 570.103, 570.120, 570.123, 570.125, 570.130, 570.135, 570.140, 570.145, 570.155, 570.160, 570.170, 570.180, 570.190, 570.217, 570.219, 570.220, 570.222, 570.223, 570.225, 570.226, 570.230, 570.235, 570.240, 570.241, 570.245, 570.255, 570.300, 570.380, 572.020, 572.120, 573.010, 573.013, 573.020, 573.025, 573.030, 573.035, 573.040, 573.050, 573.052, 573.060, 573.065, 573.100, 573.500,



573.509, 573.528, 573.531, 574.020, 574.030, 574.075, 574.085, 574.115, 575.021, 575.145, 575.153, 575.280, 575.350, 575.353, 576.050, 577.001, 577.005, 577.006, 577.010, 577.012, 577.017, 577.020, 577.021, 577.023, 577.026, 577.029, 577.031, 577.037, 577.039, 577.049, 577.051, 577.052, 577.054, 577.060, 577.065, 577.068, 577.070, 577.071, 577.076, 577.090, 577.100, 577.105, 577.110, 577.150, 577.155, 577.160, 577.161, 577.201, 577.203, 577.206, 577.208, 577.211, 577.214, 577.217, 577.221, 577.500, 577.505, 577.510, 577.515, 577.520, 577.525, 577.530, 577.600, 577.602, 577.604, 577.606, 577.608, 577.610, 577.612, 577.614, 577.625, 577.628, 577.675, 577.680, 578.008, 578.009, 578.150, 578.154, 578.200, 578.205, 578.210, 578.215, 578.220, 578.225, 578.250, 578.255, 578.260, 578.265, 578.300, 578.305, 578.310, 578.315, 578.320, 578.325, 578.330, 578.350, 578.353, 578.360, 578.363, 578.365, 578.375, 578.377, 578.379, 578.381, 578.383, 578.385, 578.387, 578.389, 578.390, 578.392, 578.405, 578.407, 578.409, 578.412, 578.414, 578.416, 578.418, 578.420, 578.421, 578.430, 578.433, 578.450, 578.500, 578.501, 578.502, 578.503, 578.510, 578.570, 589.015, 589.400, 632.480, 660.250, 660.255, 660.260, 660.261, 660.263, 660.265, 660.270, 660.275, 660.280, 660.285, 660.290, 660.295, 660.300, 660.305, 660.310, 660.315, 660.317, 660.320, and 660.321, RSMo, section 302.060 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session, section 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402 merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, section 302.304 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session, section 302.304 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, section 577.041 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session, and section 577.041 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill nos. 1695, 1742 & 1672, ninety-fifth general assembly, second regular session, and to enact in lieu thereof three hundred ninety-three new sections for the sole purpose of restructuring the Missouri criminal code, with penalty provisions and an effective date.

Senator Justus moved that **SS** for **SCS** for **SB 491** be adopted.

Senator Justus offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 491, Page 21, Section 167.115, Line 22 of said page, by striking the word “and” and inserting in lieu thereof the word “**or**”; and further amend line 25, by striking the word “and” and inserting in lieu thereof the word “**or**”; and further amend line 28, by striking the word “and” and inserting in lieu thereof the word “**or**”; and

Further amend said bill and section, page 22, line 6 of said page, by striking the word “and” and inserting in lieu thereof the word “**or**”; and further amend line 20, by striking the word “and” and inserting in lieu thereof the word “**or**”; and

Further amend said bill, page 41, Section 195.010, Line 23 of said page, by striking “(a)” and inserting in lieu thereof “**a.**”; and further amend line 25, by striking “(b)” and inserting in lieu thereof “**b.**”; and further amend line 28, by striking “(c)” and inserting in lieu thereof “**c.**”; and

Further amend said bill and section, page 42, line 3 of said page, by striking “(d)” and inserting in lieu thereof “**d.**”; and further amend line 5, by striking “(e)” and inserting in lieu thereof “**e.**”; and further amend line 7, by striking “(f)” and inserting in lieu thereof “**f.**”; and further amend line 16, by striking “(g)” and inserting in lieu thereof “**g.**”; and further amend line 18, by striking “(h)” and inserting in lieu thereof “**h.**”; and further amend line 20, by striking “(i)” and inserting in lieu thereof “**i.**”; and further amend line 21, by striking “(j)” and inserting in lieu thereof “**j.**”; and further amend line 22, by striking “(k)” and inserting in lieu thereof “**k.**”; and further amend line 26, by striking “(l)” and inserting in lieu thereof “**l.**”; and further amend line 28, by striking “(m)” and inserting in lieu thereof “**m.**”; and

Further amend said bill and section, page 43, line 2 of said page, by striking “(n)” and inserting in lieu thereof “**n.**”; and further amend line 3, by striking “(o)” and inserting in lieu thereof “**o.**”; and

Further amend said bill, page 60, section 195.017, line 27 of said page, by unbolding the closed bracket “]” on said line; and

Further amend said bill, page 270, section 557.016, line 1 of said page, by striking the opening “[” and closing “]” brackets; and further amend said line, by striking the word “five”; and

Further amend said bill, page 279, Section 558.004, Line 21 of said page, by inserting immediately after the word “unless” a colon “:”; and

Further amend said bill, page 286, section 558.016, lines 14-17 of said page, by striking all of said lines and inserting in lieu thereof the following: “**found to be a persistent offender or a dangerous offender and is found guilty of:**

(1) **A class B felony, to a term of imprisonment of not less than ten years and not to exceed thirty years, or life imprisonment;**

(2) **A level 1 class C felony, to a term of imprisonment of not less than five years and not to exceed fifteen years;**

(3) **A level 2 class C felony, to a term of imprisonment of not less than three years and not to exceed ten years; or**

(4) **A class D felony, to a term of imprisonment not to exceed seven years.**

**8. For purposes of this section, the following terms mean:**

(1) **“Level 1 class C felony”, a class C felony with an authorized term of imprisonment of not less than three years and not to exceed ten years; and**

(2) **“Level 2 class C felony”, a class C felony with an authorized term of imprisonment not to exceed seven years.”; and**

Further amend said bill, page 307, section 562.012, line 12 of said page, by striking the opening bracket “[”]; and further amend line 16, by inserting immediately after “(2)” the following: “**Level 1**”; and further amend lines 18-27, by striking all of said lines and inserting in lieu thereof the following:

**“(3) Level 2 class C felony if the offense attempted is a level 1 class C felony.**

**(4) Class D felony if the offense attempted is a level 2 class C felony.**

[(4)] **(5)** Class A misdemeanor if the offense attempted is a class D felony.

[(5)] **(6)** Class [C] **B** misdemeanor if the offense attempted is a **class A** misdemeanor [of any degree].

**(7) Class C misdemeanor if the offense attempted is a class B misdemeanor.**

**(8) Class D misdemeanor if the offense attempted is a class C misdemeanor.**

**4. For purposes of this section, the following terms mean:**

**(1) “Level 1 class C felony”, a class C felony with an authorized term of imprisonment of not less than three years and not to exceed ten years; and**

**(2) “Level 2 class C felony”, a class C felony with an authorized term of imprisonment not to exceed seven years.”; and**

Further amend said bill, page 309, section 562.014, line 22, of said page, by striking the opening bracket “[”]; and further amend line 26, by inserting immediately after “(2)” the following: **“Level 1”**; and further amend line 27, by inserting immediately after all of said line the following:

**“(3) Level 2 class C felony if the object of the conspiracy is a level 1 class C felony.**

**[(3)] (4)”**; and

Further amend said bill and section, page 310, lines 1-10 of said page, by striking all of said lines and inserting in lieu thereof the following:

**“level 2 class C felony.**

**[(4)] (5)** Class A misdemeanor if the object of the conspiracy is a class D felony.

**[(5)] (6)** Class [C] **B** misdemeanor if the object of the conspiracy is a **class A** misdemeanor [of any degree or an infraction].

**(7) Class C misdemeanor if the object of the conspiracy is a class B misdemeanor.**

**(8) Class D misdemeanor if the object of the conspiracy is a class C misdemeanor.**

**9. For purposes of this section, the following terms mean:**

**(1) “Level 1 class C felony”, a class C felony with an authorized term of imprisonment of not less than three years and not to exceed ten years; and**

**(2) “Level 2 class C felony”, a class C felony with an authorized term of imprisonment not to exceed seven years.”; and**

Further amend said bill, page 315, section 565.010, line 12 of said page, by inserting immediately after the word “of” a colon “:”; and

Further amend said bill, page 330, section 565.079, lines 6-17 of said page, by striking all of said lines and inserting in lieu thereof the following: **“been found to be a prior assault offender and is found guilty of:**

**(1) A class B felony, to a term of imprisonment of not less than ten years and not to exceed thirty years, or life imprisonment;**

(2) A level 1 class C felony, to a term of imprisonment of not less than five years and not to exceed fifteen years; or

(3) A level 2 class C felony, to a term of imprisonment of not less than three years and not to exceed ten years.

14. The court shall sentence a person, who has been found to be a persistent assault offender and is found guilty of:

(1) A class B felony or a level 1 class C felony, to a term of imprisonment of not less than ten years and not to exceed thirty years, or life imprisonment; or

(2) A level 2 class C felony, to a term of imprisonment of not less than five years and not to exceed fifteen years.

15. For purposes of this section, the following terms mean:

(1) “Level 1 class C felony”, a class C felony with an authorized term of imprisonment of not less than three years and not to exceed ten years; and

(2) “Level 2 class C felony”, a class C felony with an authorized term of imprisonment not to exceed seven years.” and

Further amend said bill, page 377, section 566.209, by striking all of said section from the bill; and

Further amend said bill, page 439, section 570.135, lines 7-9 of said page, by striking all of said lines and inserting in lieu thereof the following: “or 2 of this section is guilty of]

2. The offense of fraudulent procurement of a credit or debit device is a class A misdemeanor.”; and

Further amend said bill, page 488, section 573.205, line 21 of said page, by inserting after all of said line the following:

“[568.110.] **573.215.** 1. [Any] A person commits the offense of failure to report child pornography if he or she being a film and photographic print processor, computer provider, installer or repair person, or any internet service provider who has knowledge of or observes, within the scope of the person's professional capacity or employment, any film, photograph, videotape, negative, slide, or computer-generated image or picture depicting a child under [the age of] eighteen years of age engaged in an act of sexual conduct [shall] **fails to** report such instance to [the] **any** law enforcement agency [having jurisdiction over the case] immediately or as soon as practically possible.

2. The offense of failure to [make such report shall be] **report child pornography** is a class B misdemeanor.

3. Nothing in this section shall be construed to require a provider of electronic communication services or remote computing services to monitor any user, subscriber or customer of the provider, or the content of any communication of any user, subscriber or customer of the provider.”; and

Further amend said bill, page 493, section 574.005, line 5 of said page, by striking “1.”; and

Further amend said bill, page 526, section 577.014, line 21 of said line, by striking “twenty hundredths” and inserting in lieu thereof the following: “**twenty-hundredths**”; and further amend line 25, by striking

“twenty hundredths” and inserting in lieu thereof the following: “**twenty-hundredths**”; and

Further amend said bill, page 566, section 577.078, line 7 of said page, by inserting after all of said line the following:

“577.080. 1. A person commits the [crime] **offense** of abandoning a [motor] vehicle, vessel, or trailer if he **or she knowingly** abandons any motor vehicle, vessel, or trailer on:

(1) The right-of-way of any public road or state highway [or];

(2) On or in any of the waters in this state [or];

(3) On the banks of any stream[, or];

(4) On any land or water owned, operated or leased by the state, any board, department, agency or commission thereof, or any political subdivision thereof [or];

(5) On any land or water owned, operated or leased by the federal government; or

(6) On any private real property owned by another without his **or her** consent.

2. For purposes of this section, the last owner of record of a [motor] vehicle, vessel, or trailer found abandoned and not shown to be transferred pursuant to sections 301.196 and 301.197 shall be deemed prima facie [to have been the owner] **evidence of ownership** of such [motor] vehicle, vessel, or trailer at the time it was abandoned and [to have been] the person who abandoned the [motor] vehicle, vessel, or trailer or caused or procured its abandonment. The registered owner of the abandoned [motor] vehicle, vessel, or trailer shall not be subject to the penalties provided by this section if the [motor] vehicle, vessel, or trailer was in the care, custody, or control of another person at the time of the violation. In such instance, the owner shall submit such evidence in an affidavit permitted by the court setting forth the name, address, and other pertinent information of the person who leased, rented, or otherwise had care, custody, or control of the [motor] vehicle, vessel, or trailer at the time of the alleged violation. The affidavit submitted pursuant to this subsection shall be admissible in a court proceeding adjudicating the alleged violation and shall raise a rebuttable presumption that the person identified in the affidavit was in actual control of the [motor] vehicle, vessel, or trailer. In such case, the court has the authority to terminate the prosecution of the summons issued to the owner and issue a summons to the person identified in the affidavit as the operator. If the [motor] vehicle, vessel, or trailer is alleged to have been stolen, the owner of the [motor] vehicle, vessel, or trailer shall submit proof that a police report was filed in a timely manner indicating that the vehicle or vessel was stolen at the time of the alleged violation.

3. **The offense of** abandoning a [motor] vehicle, vessel, or trailer is a class A misdemeanor.

4. Any person convicted pursuant to this section shall be civilly liable for all reasonable towing, storage, and administrative costs associated with the abandonment of the [motor] vehicle, vessel, or trailer. Any reasonable towing, storage, and administrative costs in excess of the value of the abandoned [motor] vehicle, vessel, or trailer that exist at the time the [motor vehicle or vessel] **property** is transferred pursuant to section 304.156 shall remain the liability of the person convicted pursuant to this section so long as the towing company, as defined in chapter 304, provided the title owner and lienholders, as ascertained by the department of revenue records, a notice within the time frame and in the form as described in subsection 1 of section 304.156.”; and

Further amend said bill, page 593, section 579.015, lines 13-14 of said page, by striking “a person found guilty of the offense shall be sentenced to pay a fine of” and inserting in lieu thereof the following: “**the offense is punishable by a fine of**”; and

Further amend said bill, page 635, section 579.170, lines 4-16 of said page, by striking all of said lines and inserting in lieu thereof the following: “**shall sentence a person, who has been found to be a prior drug offender and is found guilty of:**

(1) A level 1 class C felony, to a term of imprisonment of not less than five years and not to exceed fifteen years;

(2) A level 2 class C felony, to a term of imprisonment of not less than three years and not to exceed ten years; or

(3) A class D felony, to a term of imprisonment not to exceed seven years.

5. The court shall sentence a person, who has been found to be a persistent drug offender and is found guilty of:

(1) A class B felony, or a level 1 class C felony, to a term of imprisonment of not less than ten years and not to exceed thirty years, or life imprisonment;

(2) A level 2 class C felony, to a term of imprisonment of not less than five years and not to exceed fifteen years; or

(3) A class D felony, to a term of imprisonment of not less than three years and not to exceed ten years.

6. For purposes of this section, the following terms mean:

(1) “Level 1 class C felony”, a class C felony with an authorized term of imprisonment of not less than three years and not to exceed ten years; and

(2) “Level 2 class C felony”, a class C felony with an authorized term of imprisonment not to exceed seven years.”; and

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Justus offered **SA 2**:

#### SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 491, Page 160, Section 217.735, Line 2 of said page, by inserting immediately after the word “Section” the following: “**566.068, 566.069**,”; and

Further amend said bill, page 262, section 556.061, line 22 of said page, by inserting immediately after the word “the” as it appear the first time on said line the following: “**first or**”; and

Further amend said bill, page 354, section 566.023, lines 3-4 of said page, by striking all of said lines and inserting in lieu thereof the following: “566.064, [566.068, and 566.090] **and 566.071**, that the defendant was married”; and

Further amend said bill, page 359, section 566.067, line 1 of said page, by striking the opening “[“ and closing “]” brackets; and further amend said line, by striking the word “twelve”; and further amend line 19, by striking the word “such” and inserting in lieu thereof the following: “, **if the victim is a child less than twelve years of age, the**”; and

Further amend said bill and page, section 566.068, lines 26-27, by striking all of said lines and inserting in lieu thereof the following: “**(2) Being more than four years older than a child who is less than seventeen years of age, subjects the child to sexual contact**”; and

Further amend said bill, page 360, section 566.071, lines 19-21 of said page, by striking all of said lines and inserting in lieu thereof the following: “**molestation in the fourth degree if, being more than four years older than a child who is less than seventeen years of age, subjects the child to sexual contact.**”; and further amend line 23, by striking the letter “C” and inserting in lieu thereof: “**D**”; and

Further amend said bill, page 364, section 566.101, lines 1-4 of said page, by striking all of said lines and inserting in lieu thereof the following: “person to sexual contact without that person's consent.”; and

Further amend said bill, page 636, section 589.015, line 24 of said page, by striking the following: “or third” and inserting in lieu thereof the following: “**third, or fourth**”; and

Further amend said bill, page 652, section 632.480, line 17 of said page, by striking the words “**or second**”.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Justus moved that **SS** for **SCS** for **SB 491**, as amended, be adopted, which motion prevailed.

Senator Kraus assumed the Chair.

On motion of Senator Justus, **SS** for **SCS** for **SB 491**, as amended, was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 850**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 850**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 850

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to the establishment of a supplemental nutrition assistance pilot program.

Was taken up.

Senator Munzlinger moved that **SCS** for **SB 850** be adopted.

Senator Munzlinger offered **SS** for **SCS** for **SB 850**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 850

An Act to repeal section 262.900, RSMo, and to enact in lieu thereof three new sections relating to agricultural products.

Senator Munzlinger moved that **SS** for **SCS** for **SB 850** be adopted.

At the request of Senator Munzlinger, **SB 850**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

President Pro Tem Dempsey assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

On behalf of Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, Senator Richard submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 1173**, begs leave to report that it has considered the same and recommends that the bill do pass.

### **INTRODUCTIONS OF GUESTS**

Senator Schaaf introduced to the Senate, representatives of Missouri Western State University, St. Joseph.

On motion of Senator Richard, the Senate adjourned under the rules.

### **SENATE CALENDAR**

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**FORTY-EIGHTH DAY—TUESDAY, APRIL 8, 2014**

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### **FORMAL CALENDAR**

#### **HOUSE BILLS ON SECOND READING**

HB 1897-Kolkmeier	HCS for HB 1745
HB 1968-Gosen	HB 1775-Colona and Hodges
HCS for HB 2040	HCS for HB 1302
HB 1380-Peters and Ellington	HCS for HB 1326
HCS for HB 1605	HB 1617-Rehder, et al
HB 2028-Peters, et al	HCS for HB 1439
HB 1670-Dunn, et al	HCS for HB 1237
HB 1744-Walton Gray, et al	HCS for HBs 1235 & 1214

#### **THIRD READING OF SENATE BILLS**

SS for SCS for SB 666-Schmitt (In Fiscal Oversight)	SCS for SB 729-Romine SCS for SB 785-Kehoe
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SB 812-Parson (In Fiscal Oversight)  
SB 818-Kehoe

SCS for SB 854-Wasson

SENATE BILLS FOR PERFECTION

- |                                     |  |
|-------------------------------------|--|
| 1. SB 892-Kraus, with SCS           | 26. SB 866-Wasson and Cunningham       |
| 2. SB 809-Wasson, with SCS          | 27. SB 824-Dixon, with SCS             |
| 3. SB 706-Cunningham, with SCS      | 28. SB 724-Parson                      |
| 4. SB 500-Keaveny                   | 29. SB 550-Sater, with SCS             |
| 5. SB 695-Keaveny                   | 30. SB 819-Wallingford, with SCS       |
| 6. SJR 26-Lager                     | 31. SBs 836 & 800-Munzlinger, with SCS |
| 7. SB 890-Kehoe                     | 32. SB 842-Parson                      |
| 8. SB 754-Sater and Justus          | 33. SB 860-Cunningham                  |
| 9. SB 617-Rupp and Parson, with SCS | 34. SB 891-Kehoe                       |
| 10. SB 755-Wallingford              | 35. SB 762-Schaefer, with SCS          |
| 11. SB 769-Pearce, with SCS         | 36. SB 875-Sater, with SCS             |
| 12. SB 830-Parson                   | 37. SB 671-Sater                       |
| 13. SB 841-Wasson, with SCS         | 38. SB 634-Parson, with SCS            |
| 14. SB 919-Justus                   | 39. SB 642-Romine, with SCS            |
| 15. SBs 787 & 804-Justus, with SCS  | 40. SB 848-LeVota, with SCS            |
| 16. SB 795-Lager                    | 41. SB 566-Sifton                      |
| 17. SB 887-Schaefer                 | 42. SB 992-Dempsey                     |
| 18. SB 538-Keaveny and Holsman      | 43. SB 966-Lager                       |
| 19. SB 786-Schmitt                  | 44. SB 852-Schmitt, with SCS           |
| 20. SBs 638 & 647-Romine, with SCS  | 45. SB 704-Lager, with SCS             |
| 21. SB 578-Kraus                    | 46. SB 758-Justus                      |
| 22. SB 655-Kraus                    | 47. SB 873-Brown, with SCS             |
| 23. SB 659-Wallingford, with SCS    | 48. SB 844-Dixon                       |
| 24. SB 717-Brown                    | 49. SB 641-Emery                       |
| 25. SB 794-Chappelle-Nadal          | 50. SB 869-Schmitt                     |

HOUSE BILLS ON THIRD READING

HB 1173-Burlison, et al

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 490-Lager and Kehoe, with SCS

SB 501-Keaveny

SB 518-Sater, with SCS, SA 2 & SA 1 to  
SA 2 (pending)  
SB 519-Sater, with SS & SA 1 (pending)  
SS for SB 543-Munzlinger  
SB 553-Emery, with SCS (pending)  
SB 555-Nasheed, with SS & SA 1 (pending)  
SB 573-Munzlinger, with SCS  
SB 575-Dixon  
SB 589-Brown, with SCS, SA 2 & SA 1 to  
SA 2 (pending)  
SB 599-Kraus, with SCS & SA 2 (pending)  
SB 644-LeVota  
SB 663-Munzlinger, with SCS  
SB 692-Wasson, with SA 1 (pending)  
SB 712-Walsh, with SCS & SS for SCS  
(pending)

SB 734-Cunningham  
SB 739-Romine, with SCS, SS for SCS, SA 1  
& SA 1 to SA 1 (pending)  
SB 774-Dempsey, with SCS  
SB 790-Dixon, with SA 3 & point of order  
(pending)  
SB 814-Brown  
SB 846-Richard  
SB 850-Munzlinger and Holsman, with SCS  
& SS for SCS (pending)  
SJR 25-Lager  
SJR 34-Emery  
SJR 42-Schmitt, with SS (pending)

## BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

### In Conference

HB 2014-Stream, with SCS (Schaefer)

## RESOLUTIONS

### Reported from Committee

SCR 34-LeVota  
HCR 5-English, et al (Walsh)

HCR 11-Walton Gray, et al (Walsh)  
HCS for HCR 20

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# Journal of the Senate

## SECOND REGULAR SESSION

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**FORTY-EIGHTH DAY—TUESDAY, APRIL 8, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Walk in wisdom toward them that are without...Let your speech be always with grace.” (Colossians 4:5-6)

Gracious God, grant us Your grace to always deal with each other and those we meet each day with wisdom, common sense and in a gracious and helpful manner. Let all we do demonstrate our faithfulness with a warm heart and kind voice as we go about doing what is required of us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

**Present—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

**Absent—Senators—None**

**Absent with leave—Senators—None**

**Vacancies—2**

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 1770, regarding the death of Tina Halcomb, Jefferson City, which was adopted.

Senator Libla offered Senate Resolution No. 1771, regarding Dr. Raymond R. “Bob” Kenison, Hannibal, which was adopted.

Senator Lager offered Senate Resolution No. 1772, regarding Samuel W. Woodson, Trenton, which was adopted.

Senator Lager offered Senate Resolution No. 1773, regarding Isaiah G. Swann, Trenton, which was adopted.

Senator Lager offered Senate Resolution No. 1774, regarding Charles David Hoffman, Trenton, which was adopted.

Senator Lager offered Senate Resolution No. 1775, regarding Jacob Hamilton, Trenton, which was adopted.

Senator Lager offered Senate Resolution No. 1776, regarding Gannon D. Albrecht, Trenton, which was adopted.

Senator Pearce offered Senate Resolution No. 1777, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. David Rest, Warrensburg, which was adopted.

Senator Lamping offered Senate Resolution No. 1778, regarding Leah Pearl Rothberg, St. Louis, which was adopted.

Senators Lamping and Walsh offered Senate Resolution No. 1779, regarding Jennifer J. Fazio, Florissant, which was adopted.

Senators Lamping and Walsh offered Senate Resolution No. 1780, regarding Rachel Elizabeth Bogaski, Florissant, which was adopted.

Senators Lamping and Nieves offered Senate Resolution No. 1781, regarding Emily Rose Mausshardt, Ballwin, which was adopted.

Senators Lamping and Nieves offered Senate Resolution No. 1782, regarding Elise Lynn Kammeyer, Chesterfield, which was adopted.

Senators Lamping and Dempsey offered Senate Resolution No. 1783, regarding Tristan Marie Ritter, St. Charles, which was adopted.

Senator Lamping offered Senate Resolution No. 1784, regarding Taylor June Knoche, Defiance, which was adopted.

Senator Lamping offered Senate Resolution No. 1785, regarding Katherine Ruth Harris, Wentzville, which was adopted.

Senator Lamping offered Senate Resolution No. 1786, regarding Shelby Meyer, Defiance, which was adopted.

Senator Lamping offered Senate Resolution No. 1787, regarding Gabrielle Elizabeth Oehmke, O’Fallon, which was adopted.

Senator Lamping offered Senate Resolution No. 1788, regarding Megan Bridget Bucol, St. Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 1789, regarding Katherine Elizabeth Angeli,

Wentzville, which was adopted.

Senator Lamping offered Senate Resolution No. 1790, regarding Amanda Mechelle Blythe, O'Fallon, which was adopted.

Senator Lamping offered Senate Resolution No. 1791, regarding Rebecca Anna Schreiber, Fenton, which was adopted.

Senator Lamping offered Senate Resolution No. 1792, regarding Olivia June Jaeger, St. Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 1793, regarding Laura Ashley Anderson, Chesterfield, which was adopted.

Senator Lamping offered Senate Resolution No. 1794, regarding Jacquelyn Nicole Weber, St. Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 1795, regarding Madeline Clark McDonnell, St. Louis, which was adopted.

#### **SENATE BILLS FOR PERFECTION**

Senator Dempsey moved that **SB 774**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 774**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 774**

An Act to repeal section 99.825, RSMo, and to enact in lieu thereof one new section relating to tax increment financing.

Was taken up.

Senator Dempsey moved that **SCS** for **SB 774** be adopted.

Senator Dempsey offered **SS** for **SCS** for **SB 774**, entitled:

#### **SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 774**

An Act to repeal sections 99.805, 99.820, and 99.825, RSMo, and to enact in lieu thereof three new sections relating to tax increment financing.

Senator Dempsey moved that **SS** for **SCS** for **SB 774** be adopted.

Senator Romine assumed the Chair.

At the request of Senator Dempsey, **SB 774**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

Senator Dixon moved that **SB 575** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Dixon offered **SS** for **SB 575**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 575

An Act to repeal sections 8.597, 21.440, 21.445, 21.450, 21.455, 21.460, 21.465, 21.530, 21.535, 21.537, 21.800, 21.801, 21.830, 21.835, 21.850, 21.910, 21.920, 30.953, 30.954, 30.956, 30.959, 30.962, 30.965, 30.968, 30.971, 33.710, 33.150, 33.850, 37.250, 105.955, 135.210, 135.230, 167.195, 191.115, 191.934, 197.291, 208.275, 215.261, 215.262, 217.025, 217.035, 217.550, 217.567, 262.950, 301.129, 313.001, 320.092, 338.321, 348.439, 361.120, 383.250, 386.145, 476.681, 620.050, 620.602, 620.1300, 630.461, and 650.120, RSMo, section 105.955 as enacted by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 476.055 as enacted by conference committee substitute for house committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, and to enact in lieu thereof sixteen new sections relating to the existence of certain committees.

Senator Dixon moved that **SS** for **SB 575** be adopted.

Senator Dixon offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 575, Page 2, Section A, Line 9 of said page, by inserting immediately after said line the following:

**“21.880. 1. There is hereby established a permanent joint committee of the general assembly, which shall be known as the “Joint Committee on Judiciary and Justice” and shall be composed of the following members:**

- (1) The chairs of the senate and house committees on the judiciary;**
- (2) The ranking minority members of the senate and house committees on the judiciary;**
- (3) Two members of the senate appointed by the president pro tempore of the senate, one of whom shall be a member of the senate committee on appropriations;**
- (4) The chair of the house committee with jurisdiction over matters relating to criminal laws, law enforcement, and public safety;**
- (5) The chair of the house committee with jurisdiction over matters relating to state correctional institutions;**
- (6) A member of the senate appointed by the minority floor leader of the senate;**
- (7) A member of the house of representatives appointed by the minority floor leader of the house of representatives;**
- (8) Three nonvoting ex officio members who shall be the chief justice of the Missouri supreme court, the state auditor, and the attorney general, or their designees.**

**2. No more than three members from each house shall be of the same political party. The appointment of members shall continue during their term of office as members of the general**

assembly or until a successor has been duly appointed to fill their place when their term of office as members of the general assembly has expired.

3. The joint committee shall meet within thirty days after its creation and organize by selecting a chair and vice chair, one of whom shall be the senate judiciary chair and one of whom shall be the house judiciary chair. The positions of chair and vice chair shall alternate every two years thereafter between the senate and house. After its organization, the committee shall meet regularly, at least twice a year, at such time and place as the chair designates, including locations other than Jefferson City. A majority of the members of the committee shall constitute a quorum, but the concurrence of a majority of the members, other than the ex officio members, shall be required for the determination of any matter within the committee's duties.

4. In order to promote the effective administration of justice and public safety, it shall be the duty of the joint committee to:

(1) Review and monitor:

(a) The state's justice system;

(b) The state's criminal laws, law enforcement, and public safety;

(c) The state's correctional institutions and penal and correctional issues; and

(d) All state government efforts related to terrorism, bioterrorism, and homeland security;

(2) Receive reports from the judicial branch, state or local government agencies or departments, and any entities attached to them for administrative purposes;

(3) Conduct an ongoing study and analysis of the state's justice system and related issues;

(4) Determine the need for changes in statutory law, rules, policies, or procedures;

(5) Make any recommendations to the general assembly for legislative action; and

(6) Perform other duties authorized by concurrent resolution of the general assembly.

5. By January 15, 2016, and every year thereafter, it shall be the duty of the joint committee to file with the general assembly a report of its activities, along with any findings or recommendations the committee may have for legislative action.

6. The joint committee shall establish a permanent subcommittee on the Missouri criminal code, which shall conduct and supervise a continuing program of revision designed to maintain the cohesiveness, consistency, and effectiveness of the criminal laws of the state. In connection with this program, the committee may select an advisory committee on the Missouri criminal code, composed of a representative of the Missouri supreme court, a representative of the office of the attorney general, and other individuals known to be interested in the improvement of the state's criminal laws, and may authorize the payment of any actual and necessary expenses incurred by such members while attending meetings with the committee or the subcommittee on the Missouri criminal code. The subcommittee on the Missouri criminal code shall present to the general assembly in each tenth year such criminal code revision bills as it finds appropriate to accomplish its purpose.

7. The joint committee may make reasonable requests for staff assistance from the research and

appropriations staffs of the senate and house and the joint committee on legislative research, and may employ such personnel as it deems necessary to carry out the duties imposed by this section, within the limits of any appropriation for such purpose. All branches of government and state departments, agencies, boards, commissions and offices shall cooperate with and assist the joint committee in the performance of its duties and shall make available all information requested. The committee shall have the power to subpoena witnesses, take testimony under oath, compel the attendance of witnesses, the giving of testimony and the production of records.

**8. The members of the committee shall serve without compensation, but any actual and necessary expenses incurred in the performance of the committee's official duties by the joint committee, its members, and any staff assigned to the committee shall be paid from the joint contingent fund.”; and**

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted.

At the request of Senator Dixon, **SB 575**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

Senator Dempsey moved that **SB 774**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SS** for **SCS** for **SB 774** was again taken up.

Senator Schaefer offered **SA 1**, which was read:

#### SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 774, Page 21, Section 99.825, Line 1, by inserting after the number “99.820” the following: “**or a commission located in any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants**”.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Dempsey moved that **SS** for **SCS** for **SB 774**, as amended, be adopted, which motion prevailed.

On motion of Senator Dempsey, **SS** for **SCS** for **SB 774**, as amended, was declared perfected and ordered printed.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1303**, entitled:

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to religious liberties of students.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.



Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1305**, entitled:

An Act to amend chapter 389, RSMo, by adding thereto one new section relating to train conductors.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1138**, entitled:

An Act to repeal section 452.340, RSMo, and to enact in lieu thereof one new section relating to child support.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Schmitt.

### **SENATE BILLS FOR PERFECTION**

Senator Cunningham moved that **SB 734** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Cunningham, **SB 734** was declared perfected and ordered printed.

Senator Dixon moved that **SB 575**, with **SS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 1** was again taken up.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Dixon offered **SA 2**:

### **SENATE AMENDMENT NO. 2**

Amend Senate Substitute for Senate Bill No. 575, Page 2, Section A, Line 9 of said page, by inserting immediately after said line the following:

“21.820. 1. There is established a joint committee of the general assembly to be known as the “Joint Committee on **Oversight and Government Accountability**” to be composed of seven members of the senate and seven members of the house of representatives. The senate members of the joint committee shall be appointed by the president pro tem and minority floor leader of the senate and the house members shall be appointed by the speaker and minority floor leader of the house of representatives. Each member shall be

appointed for a term of two years or until a successor has been appointed to fill the member's place when his or her term has expired. Members may be reappointed to the joint committee. No party shall be represented by more than four members from the house of representatives nor more than four members from the senate. A majority of the committee shall constitute a quorum, but the concurrence of a majority of the members shall be required for the determination of any matter within the committee's duties.

2. The joint committee shall:

(1) [Make a continuing study and analysis of inefficiencies, fraud and misconduct in state government] **Study and analyze the operations and performance of all branches of state government, including, but not limited to:**

(a) **The management of state programs, as defined in section 23.253;**

(b) **The procurement of goods and services by state agencies;**

(c) **All leases and proposed leases of real property funded with state moneys; and**

(d) **All construction, repairs, or maintenance on any state-funded capital improvements project, excluding capital improvements projects or highway improvements of the state transportation department funded by motor fuel tax revenues;**

(2) [Determine the appropriate method of obtaining data on each entity of state government that will provide relevant information at least biennially for the identification of potential and actual inefficiencies in each state entity's function, duties, and performance;

(3)] Determine from its study and analysis the need for changes in statutory law, rules, or policies; [and]

(3) **Make recommendations to the general assembly for legislative action to reorganize state government, including the elimination, reduction, or consolidation of agencies or programs;**

(4) Make any other [recommendation] **recommendations** to the general assembly **for legislative action** necessary to [reduce inefficiencies] **improve performance, promote efficiency and economy, and prevent or detect waste, fraud, or abuse** in state government; and

(5) Identify and acknowledge government agencies and officials who perform functions in an efficient and effective manner.

3. The joint committee shall meet within thirty days after its creation and organize by selecting a chairperson and a vice chairperson, one of whom shall be a member of the senate and the other a member of the house of representatives. The chairperson shall alternate between members of the house and senate every two years after the committee's organization.

4. The committee shall meet at least four times a year. The committee may meet at locations other than Jefferson City when the committee deems it necessary.

5. The committee shall be staffed by legislative personnel as is deemed necessary to assist the committee in the performance of its duties.

6. The members of the committee shall serve without compensation but shall be entitled to reimbursement from the joint contingent fund for actual and necessary expenses incurred in the performance of their official duties.

7. It shall be the duty of the committee to compile a full report of its activities for submission to the general assembly. The report shall be submitted not later than the fifteenth of January of each year in which the general assembly convenes in regular session and shall include any recommendations which the committee may have for legislative action as well as any recommendations for administrative or procedural changes in the internal management or organization of state government agencies and departments. Copies of the report containing such recommendations shall be sent to the appropriate directors of state or local government agencies or departments included in the report.

**8. The joint committee shall review certain state departments and any successor department, including all executive or administrative boards, bureaus, commissions, and other agencies assigned to such department by law or by the governor as provided by law, according to the following schedule:**

**(1) No later than January 1, 2016, and every ten years thereafter:**

- (a) The office of the governor;**
- (b) The office of administration; and**
- (c) The department of agriculture;**

**(2) No later than January 1, 2018, and every ten years thereafter:**

- (a) The office of the lieutenant governor;**
- (b) The department of natural resources; and**
- (c) The department of insurance, finance, and professional registration;**

**(3) No later than January 1, 2020, and every ten years thereafter:**

- (a) The office of the secretary of state;**
- (b) The department of labor and industrial relations; and**
- (c) The department of economic development;**

**(4) No later than January 1, 2022, and every ten years thereafter:**

- (a) The office of the state treasurer;**
- (b) The department of revenue; and**
- (c) The department of social services;**

**(5) No later than January 1, 2024, and every ten years thereafter:**

- (a) The office of the attorney general;**
- (b) The department of mental health; and**
- (c) The department of health and senior services.”; and**

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Justus offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Bill No. 575, Page 2, Section A, Line 9 of said page, by inserting after all of said line the following:

“21.795. 1. There is established a permanent joint committee of the general assembly to be known as the “Joint Committee on Transportation Oversight” to be composed of seven members of [the standing transportation committees of] both the senate and the house of representatives and three nonvoting ex officio members. Of the fourteen members to be appointed to the joint committee, the seven senate members of the joint committee shall be appointed by the president pro tem of the senate and minority leader of the senate and the seven house members shall be appointed by the speaker of the house of representatives and the minority floor leader of the house of representatives. The seven senate members shall be composed, as nearly as may be, of majority and minority party members in the same proportion as the number of majority and minority party members in the senate bears to the total membership of the senate. No major party shall be represented by more than four members from the house of representatives. The ex officio members shall be the state auditor, the director of the oversight division of the committee on legislative research, and the commissioner of the office of administration or the designee of such auditor, director or commissioner. The joint committee shall be chaired jointly by [both chairs of] **one member from the senate and one member from the house** [transportation committees]. A majority of the committee shall constitute a quorum, but the concurrence of a majority of the members, other than the ex officio members, shall be required for the determination of any matter within the committee's duties.

2. The department of transportation shall submit a written report prior to December thirty-first of each year to the governor and the lieutenant governor. The report shall be posted to the department's internet website so that general assembly members may elect to access a copy of the report electronically. The written report shall contain the following:

(1) A comprehensive financial report of all funds for the preceding state fiscal year which shall include a report by independent certified public accountants, selected by the commissioner of the office of administration, attesting that the financial statements present fairly the financial position of the department in conformity with generally accepted government accounting principles. This report shall include amounts of:

(a) State revenues by sources, including all new state revenue derived from highway users which results from action of the general assembly or voter-approved measures taken after August 28, 2003, and projects funded in whole or in part from such new state revenue, and amounts of federal revenues by source;

(b) Any other revenues available to the department by source;

(c) Funds appropriated, the amount the department has budgeted and expended for the following: contracts, right-of-way purchases, preliminary and construction engineering, maintenance operations and administration;

(d) Total state and federal revenue compared to the revenue estimate in the fifteen-year highway plan as adopted in 1992. All expenditures made by, or on behalf of, the department for personal services

including fringe benefits, all categories of expense and equipment, real estate and capital improvements shall be assigned to the categories listed in this subdivision in conformity with generally accepted government accounting principles;

(2) A detailed explanation of the methods or criteria employed to select construction projects, including a listing of any new or reprioritized projects not mentioned in a previous report, and an explanation as to how the new or reprioritized projects meet the selection methods or criteria;

(3) The proposed allocation and expenditure of moneys and the proposed work plan for the current fiscal year, at least the next four years, and for any period of time expressed in any public transportation plan approved by either the general assembly or by the voters of Missouri. This proposed allocation and expenditure of moneys shall include the amounts of proposed allocation and expenditure of moneys in each of the categories listed in subdivision (1) of this subsection;

(4) The amounts which were planned, estimated and expended for projects in the state highway and bridge construction program or any other projects relating to other modes of transportation in the preceding state fiscal year and amounts which have been planned, estimated or expended by project for construction work in progress;

(5) The current status as to completion, by project, of the fifteen-year road and bridge program adopted in 1992. The first written report submitted pursuant to this section shall include the original cost estimate, updated estimate and final completed cost by project. Each written report submitted thereafter shall include the cost estimate at the time the project was placed on the most recent five-year highway and bridge construction plan and the final completed cost by project;

(6) The reasons for cost increases or decreases exceeding five million dollars or ten percent relative to cost estimates and final completed costs for projects in the state highway and bridge construction program or any other projects relating to other modes of transportation completed in the preceding state fiscal year. Cost increases or decreases shall be determined by comparing the cost estimate at the time the project was placed on the most recent five-year highway and bridge construction plan and the final completed cost by project. The reasons shall include the amounts resulting from inflation, department-wide design changes, changes in project scope, federal mandates, or other factors;

(7) Specific recommendations for any statutory or regulatory changes necessary for the efficient and effective operation of the department;

(8) An accounting of the total amount of state, federal and earmarked federal highway funds expended in each district of the department of transportation; and

(9) Any further information specifically requested by the joint committee on transportation oversight.

3. Prior to February fifteenth of each year, the committee shall hold an annual meeting and call before its members, officials or employees of the state highways and transportation commission or department of transportation, as determined by the committee, for the sole purpose of receiving and examining the report required pursuant to subsection 2 of this section. The committee shall not have the power to modify projects or priorities of the state highways and transportation commission or department of transportation. The committee may make recommendations to the state highways and transportation commission or the department of transportation. Disposition of those recommendations shall be reported by the commission or the department to the joint committee on transportation oversight.

4. In addition to the annual meeting required by subsection 3 of this section, the committee shall meet two times each year. The co-chairs of the committee shall establish an agenda for each meeting that may include, but not be limited to, the following items to be discussed with the committee members throughout the year during the scheduled meeting:

(1) Presentation of a prioritized plan for all modes of transportation;

(2) Discussion of department efficiencies and expenditure of cost-savings within the department;

(3) Presentation of a status report on department of transportation revenues and expenditures, including a detailed summary of projects funded by new state revenue as provided in paragraph (a) of subdivision (1) of subsection 2 of this section; and

(4) Implementation of any actions as may be deemed necessary by the committee as authorized by law.

The co-chairs of the committee may call special meetings of the committee with ten days' notice to the members of the committee, the director of the department of transportation, and the department of transportation.

5. The committee shall also review all applications for the development of specialty plates submitted to it by the department of revenue. The committee shall approve such application by a majority vote. The committee shall approve any application unless the committee receives:

(1) A signed petition from five house members or two senators that they are opposed to the approval of the proposed license plate and the reason for such opposition;

(2) Notification that the organization seeking authorization to establish a new specialty license plate has not met all the requirements of section 301.3150;

(3) A proposed new specialty license plate containing objectionable language or design;

(4) A proposed license plate not meeting the requirements of any reason promulgated by rule.

The committee shall notify the director of the department of revenue upon approval or denial of an application for the development of a specialty plate.

6. The committee shall submit records of its meetings to the secretary of the senate and the chief clerk of the house of representatives in accordance with sections 610.020 and 610.023.”; and

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Walsh offered **SA 4**:

#### SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Bill No. 575, Page 26, Section 620.1300, Line 27 of said page, by inserting after all of said line the following:

“630.010. 1. The state mental health commission, established by the omnibus reorganization act of 1974, section 9, appendix B, RSMo, shall be composed of seven members appointed by the governor, by and with the advice and consent of the senate. The terms of members appointed under the reorganization act before August 13, 1980, shall continue until the terms under which the members were regularly

appointed expire. The terms shall be for four years. Each commissioner shall hold office until his successor has been appointed and qualified.

2. The commission shall be comprised of members who are not prohibited from serving by sections 105.450 to 105.482, as amended, and who are not otherwise employed by the state. The commission shall be composed of the following:

(1) A physician recognized as an expert in the treatment of mental illness;

(2) A physician, **licensed clinical psychologist, or other licensed clinician**, recognized as an expert in the evaluation or [habilitation] **treatment** of persons with an intellectual disability or developmental disability;

(3) A representative of groups who are consumers or families of consumers interested in the services provided by the department in the treatment of mental illness;

(4) A representative of groups who are consumers or families of consumers interested in the services provided by the department in the habilitation of persons with an intellectual disability or developmental disability;

(5) A person recognized for his expertise in general business matters and procedures;

(6) A person recognized for his interest and expertise in dealing with alcohol or drug abuse; and

(7) A person recognized for his interest or expertise in community mental health services.

3. Vacancies occurring on the commission shall be filled by appointment by the governor, by and with the advice and consent of the senate, for the unexpired terms. In case of a vacancy when the senate is not in session, the governor shall make a temporary appointment until the next session of the general assembly, when he shall nominate someone to fill the office.

4. The commission shall elect from its members a chairman and a secretary. Meetings shall be held at least once a month, and special meetings may be held at the call of the chairman.

5. The department shall pay the commission members one hundred dollars per day for each day, or portion thereof, they actually spend in transacting the business of the commission and shall reimburse the commission members for necessary expenses actually incurred in the performance of their official duties.”; and

Further amend the title and enacting clause accordingly.

Senator Walsh moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 5**:

#### SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Bill No. 575, Page 13, Section 135.230, Line 21, by inserting after all of said line the following:

“208.952. 1. There is hereby established [the] **a permanent** “Joint Committee on MO HealthNet”. The committee shall have as its purpose the study, **monitoring, and review** of the **efficacy of the program as well as the** resources needed to continue and improve the MO HealthNet program over time. **The**

**committee shall receive and obtain information from the departments of social services, mental health, health and senior services and elementary and secondary education, as applicable, regarding the projected budget of the entire MO HealthNet program including projected MO HealthNet enrollment growth, categorized by population and geographic area.** The committee shall consist of ten members:

- (1) The chair and the ranking minority member of the house committee on the budget;
- (2) The chair and the ranking minority member of the senate committee on appropriations [committee];
- (3) The chair and the ranking minority member of the house committee on appropriations for health, mental health, and social services;
- (4) The chair and the ranking minority member of the **standing** senate committee [on health and mental health] **assigned to consider MO HealthNet legislation and matters;**
- (5) A representative chosen by the speaker of the house of representatives; and
- (6) A senator chosen by the president pro tem of the senate.

No more than three members from each house shall be of the same political party.

2. A chair of the committee shall be selected by the members of the committee.

3. The committee shall meet [as necessary] **at least three times a year. In the event of three consecutive absences on the part of any member, such member may be removed from the committee. At every meeting of the committee, there shall be a public comment period. The committee shall solicit from state organizations representing health care professionals as to any recommendations they have to improve the quality of health care and its cost.**

4. [Nothing in this section shall be construed as authorizing the committee to hire employees or enter into any employment contracts] **The committee is authorized to hire an employee or enter into employment contracts, including an executive director to conduct an audit, special review or investigation of the MO HealthNet program in order to assist the committee with its duties. Such executive director shall have free access to all divisions or offices within the departments of social services, health and senior services or mental health associated with the MO HealthNet program for the inspection of such books, accounts, contracts, data and papers as concern any of the executive director's duties. Any person who willfully makes or causes to be made to the executive director any false, misleading, or unfounded report for the purpose of interfering with the performance of the executive director's duties under this section shall be guilty of a class A misdemeanor. The compensation of such personnel and the expenses of the committee shall be paid from the joint contingent fund or jointly from the senate and house contingent funds until an appropriation is made therefor.**

5. [The committee shall receive and study the five-year rolling MO HealthNet budget forecast issued annually by the legislative budget office.

6.] The committee shall **annually conduct a rolling five-year MO HealthNet forecast and** make recommendations in a report to the general assembly by January first each year, beginning in [2008] **2015**, on anticipated growth in the MO HealthNet program, needed improvements, anticipated needed



appropriations, and suggested strategies on ways to structure the state budget in order to satisfy the future needs of the program.”; and

Further amend said bill, page 70, section 208.275, line 49 of said page, by inserting immediately after said line the following:

“[208.955. 1. There is hereby established in the department of social services the “MO HealthNet Oversight Committee”, which shall be appointed by January 1, 2008, and shall consist of nineteen members as follows:

(1) Two members of the house of representatives, one from each party, appointed by the speaker of the house of representatives and the minority floor leader of the house of representatives;

(2) Two members of the Senate, one from each party, appointed by the president pro tem of the senate and the minority floor leader of the senate;

(3) One consumer representative who has no financial interest in the health care industry and who has not been an employee of the state within the last five years;

(4) Two primary care physicians, licensed under chapter 334, who care for participants, not from the same geographic area, chosen in the same manner as described in section 334.120;

(5) Two physicians, licensed under chapter 334, who care for participants but who are not primary care physicians and are not from the same geographic area, chosen in the same manner as described in section 334.120;

(6) One representative of the state hospital association;

(7) Two nonphysician health care professionals, the first nonphysician health care professional licensed under chapter 335 and the second nonphysician health care professional licensed under chapter 337, who care for participants;

(8) One dentist, who cares for participants, chosen in the same manner as described in section 332.021;

(9) Two patient advocates who have no financial interest in the health care industry and who have not been employees of the state within the last five years;

(10) One public member who has no financial interest in the health care industry and who has not been an employee of the state within the last five years; and

(11) The directors of the department of social services, the department of mental health, the department of health and senior services, or the respective directors' designees, who shall serve as ex-officio members of the committee.

2. The members of the oversight committee, other than the members from the general assembly and ex-officio members, shall be appointed by the governor with the advice and consent of the senate. A chair of the oversight committee shall be selected by the members

of the oversight committee. Of the members first appointed to the oversight committee by the governor, eight members shall serve a term of two years, seven members shall serve a term of one year, and thereafter, members shall serve a term of two years. Members shall continue to serve until their successor is duly appointed and qualified. Any vacancy on the oversight committee shall be filled in the same manner as the original appointment. Members shall serve on the oversight committee without compensation but may be reimbursed for their actual and necessary expenses from moneys appropriated to the department of social services for that purpose. The department of social services shall provide technical, actuarial, and administrative support services as required by the oversight committee. The oversight committee shall:

(1) Meet on at least four occasions annually, including at least four before the end of December of the first year the committee is established. Meetings can be held by telephone or video conference at the discretion of the committee;

(2) Review the participant and provider satisfaction reports and the reports of health outcomes, social and behavioral outcomes, use of evidence-based medicine and best practices as required of the health improvement plans and the department of social services under section 208.950;

(3) Review the results from other states of the relative success or failure of various models of health delivery attempted;

(4) Review the results of studies comparing health plans conducted under section 208.950;

(5) Review the data from health risk assessments collected and reported under section 208.950;

(6) Review the results of the public process input collected under section 208.950;

(7) Advise and approve proposed design and implementation proposals for new health improvement plans submitted by the department, as well as make recommendations and suggest modifications when necessary;

(8) Determine how best to analyze and present the data reviewed under section 208.950 so that the health outcomes, participant and provider satisfaction, results from other states, health plan comparisons, financial impact of the various health improvement plans and models of care, study of provider access, and results of public input can be used by consumers, health care providers, and public officials;

(9) Present significant findings of the analysis required in subdivision (8) of this subsection in a report to the general assembly and governor, at least annually, beginning January 1, 2009;

(10) Review the budget forecast issued by the legislative budget office, and the report required under subsection (22) of subsection 1 of section 208.151, and after study:

(a) Consider ways to maximize the federal drawdown of funds;

(b) Study the demographics of the state and of the MO HealthNet population, and how those demographics are changing;

(c) Consider what steps are needed to prepare for the increasing numbers of participants as a result of the baby boom following World War II;

(11) Conduct a study to determine whether an office of inspector general shall be established. Such office would be responsible for oversight, auditing, investigation, and performance review to provide increased accountability, integrity, and oversight of state medical assistance programs, to assist in improving agency and program operations, and to deter and identify fraud, abuse, and illegal acts. The committee shall review the experience of all states that have created a similar office to determine the impact of creating a similar office in this state; and

(12) Perform other tasks as necessary, including but not limited to making recommendations to the division concerning the promulgation of rules and emergency rules so that quality of care, provider availability, and participant satisfaction can be assured.

3. By July 1, 2011, the oversight committee shall issue findings to the general assembly on the success and failure of health improvement plans and shall recommend whether or not any health improvement plans should be discontinued.

4. The oversight committee shall designate a subcommittee devoted to advising the department on the development of a comprehensive entry point system for long-term care that shall:

(1) Offer Missourians an array of choices including community-based, in-home, residential and institutional services;

(2) Provide information and assistance about the array of long-term care services to Missourians;

(3) Create a delivery system that is easy to understand and access through multiple points, which shall include but shall not be limited to providers of services;

(4) Create a delivery system that is efficient, reduces duplication, and streamlines access to multiple funding sources and programs;

(5) Strengthen the long-term care quality assurance and quality improvement system;

(6) Establish a long-term care system that seeks to achieve timely access to and payment for care, foster quality and excellence in service delivery, and promote innovative and cost-effective strategies; and

(7) Study one-stop shopping for seniors as established in section 208.612.

5. The subcommittee shall include the following members:

(1) The lieutenant governor or his or her designee, who shall serve as the subcommittee chair;

- (2) One member from a Missouri area agency on aging, designated by the governor;
- (3) One member representing the in-home care profession, designated by the governor;
- (4) One member representing residential care facilities, predominantly serving MO HealthNet participants, designated by the governor;
- (5) One member representing assisted living facilities or continuing care retirement communities, predominantly serving MO HealthNet participants, designated by the governor;
- (6) One member representing skilled nursing facilities, predominantly serving MO HealthNet participants, designated by the governor;
- (7) One member from the office of the state ombudsman for long-term care facility residents, designated by the governor;
- (8) One member representing Missouri centers for independent living, designated by the governor;
- (9) One consumer representative with expertise in services for seniors or persons with a disability, designated by the governor;
- (10) One member with expertise in Alzheimer's disease or related dementia;
- (11) One member from a county developmental disability board, designated by the governor;
- (12) One member representing the hospice care profession, designated by the governor;
- (13) One member representing the home health care profession, designated by the governor;
- (14) One member representing the adult day care profession, designated by the governor;
- (15) One member gerontologist, designated by the governor;
- (16) Two members representing the aged, blind, and disabled population, not of the same geographic area or demographic group designated by the governor;
- (17) The directors of the departments of social services, mental health, and health and senior services, or their designees; and
- (18) One member of the house of representatives and one member of the senate serving on the oversight committee, designated by the oversight committee chair.

Members shall serve on the subcommittee without compensation but may be reimbursed for their actual and necessary expenses from moneys appropriated to the department of health and senior services for that purpose. The department of health and senior services shall provide technical and administrative support services as required by the committee.

6. By October 1, 2008, the comprehensive entry point system subcommittee shall submit its report to the governor and general assembly containing recommendations for the

implementation of the comprehensive entry point system, offering suggested legislative or administrative proposals deemed necessary by the subcommittee to minimize conflict of interests for successful implementation of the system. Such report shall contain, but not be limited to, recommendations for implementation of the following consistent with the provisions of section 208.950:

(1) A complete statewide universal information and assistance system that is integrated into the web-based electronic patient health record that can be accessible by phone, in-person, via MO HealthNet providers and via the internet that connects consumers to services or providers and is used to establish consumers' needs for services. Through the system, consumers shall be able to independently choose from a full range of home, community-based, and facility-based health and social services as well as access appropriate services to meet individual needs and preferences from the provider of the consumer's choice;

(2) A mechanism for developing a plan of service or care via the web-based electronic patient health record to authorize appropriate services;

(3) A preadmission screening mechanism for MO HealthNet participants for nursing home care;

(4) A case management or care coordination system to be available as needed; and

(5) An electronic system or database to coordinate and monitor the services provided which are integrated into the web-based electronic patient health record.

7. Starting July 1, 2009, and for three years thereafter, the subcommittee shall provide to the governor, lieutenant governor and the general assembly a yearly report that provides an update on progress made by the subcommittee toward implementing the comprehensive entry point system.

8. The provisions of section 23.253 shall not apply to sections 208.950 to 208.955.]"; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Richard offered **SA 6**:

#### SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Bill No. 575, Page 2, Section A, Line 9 of said page, by inserting after all of said line the following:

"8.010. 1. The governor, attorney general, **speaker of the house of representatives, president pro tempore of the senate**, and lieutenant governor constitute the board of public buildings. The governor is chairman and the lieutenant governor, secretary. [The speaker of the house of representatives and the president pro tempore of the senate shall serve as ex officio members of the board but shall not have the power to vote.] The board shall constitute a body corporate and politic. The board has general supervision

and charge of the public property of the state at the seat of government and other duties imposed on it by law.

2. The commissioner of administration shall provide staff support to the board.”; and

Further amend the title and enacting clause accordingly.

Senator Richard moved that the above amendment be adopted, which motion prevailed.

Senator Emery offered **SA 7**:

#### SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Bill No. 575, Page 2, Section 135.230, Line 21, by inserting immediately after said line the following:

“210.153. 1. There is hereby created in the department of social services the “Child Abuse and Neglect Review Board”, which shall provide an independent review of child abuse and neglect determinations in instances in which the alleged perpetrator is aggrieved by the decision of the children’s division. The division may establish more than one board to assure timely review of the determination. **In providing an independent review, the boards and their members shall act as unbiased finders of fact and shall be independent of any control or interference by the department of social services or employees of the department of social services. The boards shall act independently so as to assure that due process of the law is afforded to all parties involved in the proceedings.**

2. [The] **Each** board shall consist of nine members, who shall be appointed by the governor with the advice and consent of the senate[, and shall include:

(1) A physician, nurse or other medical professional;

(2) A licensed child or family psychologist, counselor or social worker;

(3) An attorney who has acted as a guardian ad litem or other attorney who has represented a subject of a child abuse and neglect report;

(4) A representative from law enforcement or a juvenile office.

3. Other members of the board may be selected from:

(1) A person from another profession or field who has an interest in child abuse or neglect;

(2) A college or university professor or elementary or secondary teacher;

(3) A child advocate;

(4) A parent, foster parent or grandparent]. **Each board member shall be a resident of the state of Missouri. The term of office of each board member shall be three years. At the time of their appointment, no more than five members of any board shall be of the same political party as the governor.**

[4.] **3.** The following persons may [participate in a child abuse and neglect review board review] **offer testimony in review proceedings before the board:**

(1) Appropriate children's division staff and legal counsel for the department;

(2) The alleged perpetrator, who may be represented pro se or be represented by legal counsel. The alleged perpetrator's presence is not required for the review to be conducted. The alleged perpetrator may submit a written statement for the board's consideration in lieu of personal appearance; [and]

(3) Witnesses **and such other persons as the board may call for expert advice** providing information on behalf of the child, the alleged perpetrator or the department. [Witnesses] **Such persons** shall only be allowed to attend that portion of the review in which they are presenting information;

(4) **A physician, nurse, or other medical professional;**

(5) **A licensed child or family psychologist, counselor, or social worker;**

(6) **An attorney who has acted as a guardian ad litem or other attorney who has represented a subject of a child abuse and neglect report;**

(7) **A representative from law enforcement or a juvenile office;**

(8) **A person from another profession or field who has an interest in child abuse or neglect;**

(9) **A college or university professor or elementary or secondary teacher;**

(10) **A child advocate; or**

(11) **A parent, foster parent, or grandparent.**

[5.] **4.** The members of the board shall serve without compensation, but shall receive reimbursement for reasonable and necessary expenses actually incurred in the performance of their duties.

[6.] **5.** All records and information compiled, obtained, prepared or maintained by the child abuse and neglect review board in the course of any review shall be confidential information.

[7.] **6.** The department shall promulgate rules and regulations governing the operation of the child abuse and neglect review board except as otherwise provided for in this section. These rules and regulations shall, at a minimum, [describe the length of terms] **provide that all witnesses are subject to cross examination, describe** the selection of the chairperson, confidentiality, notification of parties and time frames for the completion of the review.

[8.] **7.** Findings [of probable cause to suspect prior to August 28, 2004, or findings] by a preponderance of the evidence [after August 28, 2004,] of child abuse and neglect by the division which are substantiated by court adjudication shall not be heard by the child abuse and neglect review board.

**8. No employee, former employee, contractor, or an immediate family member of an employee, former employee, or contractor of the department of social services shall serve on the board.”; and**

Further amend the title and enacting clause accordingly.

Senator Emery moved that the above amendment be adopted, which motion prevailed.

Senator Dixon moved that **SS** for **SB 575**, as amended, be adopted, which motion prevailed.

On motion of Senator Dixon, **SS** for **SB 575**, as amended, was declared perfected and ordered printed.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HB 2014** and has taken up and passed **CCS** for **SCS** for **HB 2014**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 532**.

Bill ordered enrolled.

**PRIVILEGED MOTIONS**

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HB 2014**, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2014**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 2014, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 2014.
2. That the House recede from its position on House Bill No. 2014.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 2014, be truly agreed to and finally passed.

**FOR THE SENATE:**

/s/ Kurt Schaefer

/s/ Ryan Silvey

/s/ Dan W. Brown

/s/ S. Kiki Curls

/s/ Gina Walsh

**FOR THE HOUSE:**

/s/ Rick Stream

/s/ Tom Flanigan

/s/ Genise Montecillo

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

**YEAS—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer



Schmitt                      Sifton                      Silvey                      Wallingford                      Walsh                      Wasson—30

NAYS—Senator Lager—1

Absent—Senators—None

Absent with leave—Senator Dempsey—1

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HB 2014**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2014

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2014.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Lager—1

Absent—Senator Parson—1

Absent with leave—Senator Dempsey—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SENATE BILLS FOR PERFECTION**

Senator Kraus moved that **SB 892**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 892**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 892

An Act to repeal sections 115.123 and 115.755, RSMo, and to enact in lieu thereof two new sections

relating to the presidential primary election date.

Was taken up.

Senator Kraus moved that **SCS** for **SB 892** be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **SB 892** was declared perfected and ordered printed.

Senator Wasson moved that **SB 809**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 809**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 809

An Act to repeal sections 327.011, 327.031, 327.041, 327.051, 327.076, 327.081, 327.091, 327.101, 327.106, 327.131, 327.141, 327.151, 327.161, 327.171, 327.172, 327.181, 327.191, 327.221, 327.231, 327.241, 327.251, 327.261, 327.271, 327.272, 327.312, 327.313, 327.314, 327.321, 327.331, 327.341, 327.351, 327.381, 327.391, 327.392, 327.401, 327.411, 327.421, 327.442, 327.451, 327.461, 327.600, 327.603, 327.607, 327.612, 327.615, 327.617, 327.619, 327.621, 327.622, 327.623, 327.629, 327.630, 327.631, 327.635, RSMo, and to enact in lieu thereof fifty-one new sections relating to licensure by the board for architects, professional engineers, professional land surveyors and professional landscape architects, with an existing penalty provision.

Was taken up.

Senator Wasson moved that **SCS** for **SB 809** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **SB 809** was declared perfected and ordered printed.

Senator Cunningham moved that **SB 706**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 706**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 706

An Act to amend chapter 416, RSMo, by adding thereto five new sections relating to bad faith assertions of patent infringement.

Was taken up.

Senator Cunningham moved that **SCS** for **SB 706** be adopted.

Senator Cunningham offered **SS** for **SCS** for **SB 706**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 706

An Act to amend chapter 416, RSMo, by adding thereto five new sections relating to bad faith assertions of patent infringement.

Senator Cunningham moved that **SS** for **SCS** for **SB 706** be adopted, which motion prevailed.

On motion of Senator Cunningham, **SS** for **SCS** for **SB 706** was declared perfected and ordered printed.

Senator Keaveny moved that **SB 500** be taken up for perfection, which motion prevailed.

On motion of Senator Keaveny, **SB 500** was declared perfected and ordered printed.

Senator Keaveny moved that **SB 695** be taken up for perfection, which motion prevailed.

Senator Keaveny offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 695, Page 2, Section 454.500, Line 49, by striking the word “shall” and inserting in lieu thereof the following: “**may, following the filing of a motion to modify, service of process, and opportunity for a hearing pursuant to this section,**”.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Keaveny, **SB 695**, as amended, was declared perfected and ordered printed.

Senator Lager moved that **SJR 26** be taken up for perfection, which motion prevailed.

Senator Lager offered **SS** for **SJR 26**, entitled:

SENATE SUBSTITUTE FOR  
SENATE JOINT RESOLUTION NO. 26

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 27(a) of article IV of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to the commonsense obligation to provide accountability and spending stabilization act.

Senator Lager moved that **SS** for **SJR 26** be adopted.

Senator Dixon assumed the Chair.

Senator Kraus assumed the Chair.

Senator Sifton offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Joint Resolution No. 26, Page 4, Section 23(a), Line 14, by inserting after all of said line the following:

“**Section 23(b). The amount of tax credits that may be issued in any fiscal year shall be less than the amount of tax credits issued in the previous fiscal year by at least five percent.**”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted.

At the request of Senator Lager, **SJR 26**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

**REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted

the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 734**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

### **RESOLUTIONS**

Senator Nasheed offered Senate Resolution No. 1796, regarding Harris-Stowe State University, which was adopted.

Senators Lamping and Nieves offered Senate Resolution No. 1797, regarding Samantha Lynn Whitaker, Eureka, which was adopted.

Senators Lamping and Nieves offered Senate Resolution No. 1798, regarding Angela Michelle Robinson, Chesterfield, which was adopted.

Senators Lamping and Chappelle-Nadal offered Senate Resolution No. 1799, regarding Tristiana Evanoff Bierut, St. Louis, which was adopted.

Senators Lamping and Chappelle-Nadal offered Senate Resolution No. 1800, regarding Elizabeth Ann Schneider, Florissant, which was adopted.

Senators Lamping and Chappelle-Nadal offered Senate Resolution No. 1801, regarding Katherine Marie Brown, Bridgeton, which was adopted.

Senators Lamping and Schmitt offered Senate Resolution No. 1802, regarding Rachel K. Brown, Ballwin, which was adopted.

Senators Lamping and Romine offered Senate Resolution No. 1803, regarding Melissa LouAnn LaChance, Park Hills, which was adopted.

Senators Lamping and Nasheed offered Senate Resolution No. 1804, regarding Dominique Marie Williams, St. Louis, which was adopted.

Senators Lamping and Walsh offered Senate Resolution No. 1805, regarding Rachel Lee Nasalroad, Florissant, which was adopted.

Senator Nieves offered Senate Resolution No. 1806, regarding C. Lee Parks, D.O., Union, which was adopted.

Senator Justus offered Senate Resolution No. 1807, regarding the One Hundred Twenty-fifth Anniversary of the Missouri Society of the Sons of the American Revolution, which was adopted.

Senator Justus offered Senate Resolution No. 1808, regarding Jacqueline VanTilburg, Fulton, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Lager introduced to the Senate, members of Great Northwest Days.

Senator Kraus introduced to the Senate, Dr. Joe Yasso and Dr. Phil Accardo, Lee's Summit.

Senator LeVota introduced to the Senate, Captain Travis Miller, Columbia; Captain Sean Edwards, New

Bloomfield; Sergeant Major Julie Erwin, Sergeant First Class Dan Thompson and Lieutenant Colonel Scott Miller, Jefferson City; Master Sergeant Kim Komar, Gladstone; Command Sergeant Major James Walters, Ashland; and Sergeant First Class James Neighbors, Independence.

Senator Keaveny introduced to the Senate, Ali Durhan, Yurel Aktas, Engin Blackstone and members of Turkish American Society of Missouri; the Niagara Foundation; and the Kyrgyzstan delegation.

Senator Richard introduced to the Senate, Head Coach Jeremy Phillips, Assistant Coaches Cody Crocker, Josh Sonis, Brett Watkins, Tyler Gordon, Donny Pennington, Managers Emily Massey, Brook Williams, Grace Box, Kelly Johnson and 2013-2014 Class 3 State Champion Neosho High School Wrestling members: Dalton Kivett, John Williams, Gannon Millard, Kyler Rea, Isaac Townsend, Jason Box, Cody Rains, Chance Branstetter, Sam Williams, Kyle Hostetter, Jacob Brock, Austin Hailey, Ben Elledge and Aaron Clardy.

Senator Nieves introduced to the Senate, Colonel Erica Williams, Lt. Colonel Randy Fuller, Lt. Colonel David Miller and members of the Civil Air Patrol.

On behalf of Senator Munzlinger and himself, Senator Pearce introduced to the Senate, Jason Price, Marshall; and Kevin Fischer, Keytesville.

Senator Sifton introduced to the Senate, members of South County Chamber of Commerce.

Senator Parson introduced to the Senate, teacher Darrin Griffin and high school students Giselle Campos and Chaney Housh, El Dorado Springs.

On motion of Senator Richard, the Senate adjourned under the rules.

## SENATE CALENDAR

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FORTY-NINTH DAY–WEDNESDAY, APRIL 9, 2014

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## FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HB 1897-Kolkmeier	HCS for HB 1302
HB 1968-Gosen	HCS for HB 1326
HCS for HB 2040	HB 1617-Rehder, et al
HB 1380-Peters and Ellington	HCS for HB 1439
HCS for HB 1605	HCS for HB 1237
HB 2028-Peters, et al	HCS for HBs 1235 & 1214
HB 1670-Dunn, et al	HCS for HB 1303
HB 1744-Walton Gray, et al	HB 1305-Phillips, et al
HCS for HB 1745	HB 1138-Rowland
HB 1775-Colona and Hodges	

## THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt (In  
Fiscal Oversight)  
SCS for SB 729-Romine  
SCS for SB 785-Kehoe

SB 812-Parson (In Fiscal Oversight)  
SB 818-Kehoe  
SCS for SB 854-Wasson  
SB 734-Cunningham

## SENATE BILLS FOR PERFECTION

1. SB 890-Kehoe  
2. SB 754-Sater and Justus  
3. SB 617-Rupp and Parson, with SCS  
4. SB 755-Wallingford  
5. SB 769-Pearce, with SCS  
6. SB 830-Parson  
7. SB 841-Wasson, with SCS  
8. SB 919-Justus  
9. SBs 787 & 804-Justus, with SCS  
10. SB 795-Lager  
11. SB 887-Schaefer  
12. SB 538-Keaveny and Holsman  
13. SB 786-Schmitt  
14. SBs 638 & 647-Romine, with SCS  
15. SB 578-Kraus  
16. SB 655-Kraus  
17. SB 659-Wallingford, with SCS  
18. SB 717-Brown  
19. SB 794-Chappelle-Nadal  
20. SB 866-Wasson and Cunningham  
21. SB 824-Dixon, with SCS  
22. SB 724-Parson

23. SB 550-Sater, with SCS  
24. SB 819-Wallingford, with SCS  
25. SBs 836 & 800-Munzlinger, with SCS  
26. SB 842-Parson  
27. SB 860-Cunningham  
28. SB 891-Kehoe  
29. SB 762-Schaefer, with SCS  
30. SB 875-Sater, with SCS  
31. SB 671-Sater  
32. SB 634-Parson, with SCS  
33. SB 642-Romine, with SCS  
34. SB 848-LeVota, with SCS  
35. SB 566-Sifton  
36. SB 992-Dempsey  
37. SB 966-Lager  
38. SB 852-Schmitt, with SCS  
39. SB 704-Lager, with SCS  
40. SB 758-Justus  
41. SB 873-Brown, with SCS  
42. SB 844-Dixon  
43. SB 641-Emery  
44. SB 869-Schmitt

## HOUSE BILLS ON THIRD READING

HB 1173-Burlison, et al (Brown)

## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

SB 490-Lager and Kehoe, with SCS  
SB 501-Keaveny

SB 518-Sater, with SCS, SA 2 & SA 1 to  
SA 2 (pending)

SB 519-Sater, with SS & SA 1 (pending)  
SS for SB 543-Munzlinger  
SB 553-Emery, with SCS (pending)  
SB 555-Nasheed, with SS & SA 1 (pending)  
SB 573-Munzlinger, with SCS  
SB 589-Brown, with SCS, SA 2 & SA 1 to  
SA 2 (pending)  
SB 599-Kraus, with SCS & SA 2 (pending)  
SB 644-LeVota  
SB 663-Munzlinger, with SCS  
SB 692-Wasson, with SA 1 (pending)  
SB 712-Walsh, with SCS & SS for SCS  
(pending)

SB 739-Romine, with SCS, SS for SCS, SA 1  
& SA 1 to SA 1 (pending)  
SB 790-Dixon, with SA 3 & point of order  
(pending)  
SB 814-Brown  
SB 846-Richard  
SB 850-Munzlinger and Holsman, with SCS  
& SS for SCS (pending)  
SJR 25-Lager  
SJR 26-Lager, with SS & SA 1 (pending)  
SJR 34-Emery  
SJR 42-Schmitt, with SS (pending)

## RESOLUTIONS

### Reported from Committee

SCR 34-LeVota  
HCR 5-English, et al (Walsh)

HCR 11-Walton Gray, et al (Walsh)  
HCS for HCR 20 (Munzlinger)

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# Journal of the Senate

## SECOND REGULAR SESSION

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**FORTY-NINTH DAY—WEDNESDAY, APRIL 9, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Then you will understand righteousness and justice and equity, every good path; for wisdom will come into your heart, and knowledge will be pleasant to your soul, prudence will watch over you; and understanding will guard you.” (Proverbs 9-11)

Wondrous God, strengthen our resolve to be near You. Give us discipline to study Your Word all of our lives. We give thanks for all those who teach us and understand Your teachings and the world in which we live. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

**Present—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

**Absent—Senators—None**

**Absent with leave—Senators—None**

**Vacancies—2**

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Lager offered Senate Resolution No. 1809, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Wesley Harms, Weatherby, which was adopted.



Senator Lager offered Senate Resolution No. 1810, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Gary Jarman, Unionville, which was adopted.

Senator Keaveny offered Senate Resolution No. 1811, regarding California Pizza Kitchen, which was adopted.

Senator Keaveny offered Senate Resolution No. 1812, regarding Starbucks, which was adopted.

Senator Pearce assumed the Chair.

### **CONCURRENT RESOLUTIONS**

Senator LeVota offered the following concurrent resolution:

#### **SENATE CONCURRENT RESOLUTION NO. 42**

Whereas, twenty-eight million United States citizens have cognitive disabilities such as intellectual disability; severe, persistent mental illness; brain injury; stroke; and neurodegenerative disorders such as Alzheimer's disease;

Whereas, people with cognitive disabilities are entitled to inclusion in our democratic society under federal laws such as the Americans with Disabilities Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Individuals with Disabilities Act, Section 504 of the Rehabilitation Act, and under state and local laws;

Whereas, the disruptive convergence of computing and communication technologies has substantially altered how people acquire, utilize, and disseminate knowledge and information;

Whereas, access to comprehensible information and usable communication technologies is necessary for all people in our society, particularly for people with cognitive disabilities, to promote self-determination and to engage meaningfully in major aspects of life such as education, health promotion, employment, recreation, and civic participation;

Whereas, the vast majority of people with cognitive disabilities have limited or no access to comprehensible information and usable communication technologies;

Whereas, people with cognitive disabilities must have access to commercially available devices and software that incorporate principles of universal design such as flexibility and ease of use for all;

Whereas, technology and information access by people with cognitive disabilities must be guided by standards and best-practices, such as personalization and compatibility across devices and platforms, and through the application of innovations including automated and predictive technologies;

Whereas, security and privacy must be assured and managed to protect civil rights and personal dignity of people with cognitive disabilities;

Whereas, enhanced public and private funding is urgently required to allow people with cognitive disabilities to utilize technology and access information as a natural consequence of their rights to inclusion in our society;

Whereas, ensuring access to technology and information for the 28 million people with cognitive disabilities in the United States will create new markets and employment opportunities; decrease dependency on public services; reduce health care costs; and improve the independence, productivity, and quality of life of people with cognitive disabilities:

Now, Therefore, Be It Resolved that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge a commitment to equal rights for people with cognitive disabilities to technology and information access and call for implementation of such rights with deliberate speed.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred

**SS** for **SCS** for **SB 491**; **SB 500**; **SB 695**; **SCS** for **SB 809**; and **SCS** for **SB 892**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### **REFERRALS**

President Pro Tem Dempsey referred **SS** for **SCS** for **SB 491** and **SCS** for **SB 892** to the Committee on Governmental Accountability and Fiscal Oversight.

### **SENATE BILLS FOR PERFECTION**

Senator Kehoe moved that **SB 890** be taken up for perfection, which motion prevailed.

On motion of Senator Kehoe, **SB 890** was declared perfected and ordered printed.

### **HOUSE BILLS ON THIRD READING**

**HB 1173**, introduced by Representative Burlison, et al, entitled:

An Act to repeal sections 1.010 and 538.210, RSMo, and to enact in lieu thereof two new sections relating to claims arising out of the rendering of or failure to render health care services.

Was taken up by Senator Brown.

The Senate observed a moment of silence in memory of Representative Rory Ellinger.

Senator Lager assumed the Chair.

Senator Keaveny offered **SA 1**:

### **SENATE AMENDMENT NO. 1**

Amend House Bill No. 1173, Page 2, Section 538.210, Line 9, by striking “three hundred fifty thousand” and inserting in lieu thereof the following: “**one million**”; and further amend line 36, by inserting after all of said line the following:

**“8. The limitation on awards for noneconomic damages provided for in this section shall be increased or decreased on an annual basis effective January first of each year in accordance with the Implicit Price Deflator for Personal Consumption Expenditures as published by the Bureau of Economic Analysis of the United States Department of Commerce. The value of the limitation shall be calculated by the director of the department of insurance, financial institutions and professional registration, who shall submit that value to the secretary of state, to publish in the Missouri Register as soon after each January first as practicable. Publication of the value shall be exempt from the provisions of section 536.021.”.**

Senator Keaveny moved that the above amendment be adopted.

Senator Kehoe assumed the Chair.

At the request of Senator Brown, **HB 1173**, with **SA 1** (pending), was placed on the Informal Calendar.

### **MESSAGES FROM THE HOUSE**

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 68**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 30(d) of article IV of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to a temporary tax to improve the state highway system, city streets, county roads, and the state transportation system.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Richard, the Senate recessed until 3:30 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Romine.

### **HOUSE BILLS ON THIRD READING**

Senator Brown moved that **HB 1173**, with **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SA 1** was again taken up.

Senator Keaveny offered **SA 1** to **SA 1**:

#### **SENATE AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 1**

Amend Senate Amendment No. 1 to House Bill No. 1173, Page 1, Line 1, by striking "line 9," and inserting in lieu thereof the following "lines 4-6,

by striking all of said lines and inserting in lieu thereof the following: "**of such cause of action are that the defendant health care provider failed to use such care as a reasonably prudent and careful health care provider would have under similar circumstances and that such failure to use such reasonable care directly caused or directly contributed to cause the damages claimed in the petition.**"; and further amend line 9".

Senator Keaveny moved that the above amendment be adopted.

Senator Brown raised the point of order that **SA 1** to **SA 1** is out of order in that it goes beyond the scope of the subject matter of the underlying bill.

The point of order was referred to the President Pro Tem who took it under advisement, which placed **HB 1173**, with **SA 1**, **SA 1** to **SA 1** and the point of order (pending), on the Informal Calendar.

### **SENATE BILLS FOR PERFECTION**

Senator Lager moved that **SJR 25** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Lager offered **SS** for **SJR 25**, entitled:

SENATE SUBSTITUTE FOR  
SENATE JOINT RESOLUTION NO. 25

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 22(a) of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to noneconomic damage awards in civil cases.

Senator Lager moved that **SS** for **SJR 25** be adopted.

Senator Lager offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Joint Resolution No. 25, Page 2, Section 22(a), Line 5, by inserting immediately at the end of said line the following:

**“In any action against a health care provider for damages for personal injury or death arising out of the rendering or the failure to render health care services, no plaintiff shall recover more than five hundred thousand dollars for noneconomic damages irrespective of the number of defendants.”; and**

Further amend said resolution and page, section B, line 13 by inserting immediately after the word “law” the following:

“and the amount of noneconomic damages that a plaintiff can recover in a medical malpractice action is limited to five hundred thousand dollars”.

Senator Lager moved that the above amendment be adopted.

Senator Keaveny offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Joint Resolution No. 25, Page 1, Line 6, by striking the words “five hundred thousand” and inserting in lieu thereof the following: **“one million”**; and further amend lines 11-12 by striking the words “five hundred thousand” and inserting in lieu thereof the following **“one million”**.

Senator Keaveny moved that the above amendment be adopted.

At the request of Senator Lager, **SA 1** was withdrawn which rendered **SA 1** to **SA 1** moot.

Senator Lager offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Joint Resolution No. 25, Page 2, Section 22(a), Line 5, by inserting immediately after the word “law.” the following:

**“In no case shall an attorney collect fees, charges, or any other costs which in the aggregate total more than ten percent of the total damages awarded in a civil action.”; and**

Further amend said resolution and page, section B, line 13 by inserting immediately after the word “law” the following:

“and to limit attorney's fees in civil actions to ten percent of the total damages awarded in a civil action”.

Senator Lager moved that the above amendment be adopted.

Senator Lager offered **SA 1** to **SA 2**:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Joint Resolution No. 25, Page 1, Line 5, by inserting immediately after the word “action.” the following:

**“In any action against a health care provider for damages for personal injury or death arising out of the rendering or the failure to render health care services, no plaintiff shall recover more than three hundred thousand dollars for noneconomic damages irrespective of the number of defendants.”**; and further amend line 6-9 by striking all of said lines and inserting in lieu thereof the following:

“Further amend said resolution and page, section B, lines 11-13 by striking all of said lines and inserting in lieu thereof the following:

“Shall the Missouri Constitution be amended to limit noneconomic damage awards in medical malpractice cases, provide that in all civil cases noneconomic damages may be limited as prescribed by law, and limit an attorney's fees in civil actions?””.

Senator Lager moved that the above amendment be adopted.

Senator Keaveny raised the point of order that **SA 2** is out of order in that it goes beyond the scope of the underlying subject matter of the bill.

The point of order was referred to the President Pro Tem who ruled it not well taken.

**SA 1** to **SA 2** was again taken up.

Senator Dixon assumed the Chair.

Senator Pearce assumed the Chair.

Senator Kraus assumed the Chair.

At the request of Senator Lager, **SJR 25**, with **SS**, **SA 2** and **SA 1** to **SA 2** (pending), was placed on the Informal Calendar.

### REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 774**; **SS** for **SCS** for **SB 706**; **SS** for **SB 575**; and **SB 890**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### REFERRALS

President Pro Tem Dempsey referred **SS** for **SB 575** to the Committee on Governmental Accountability

and Fiscal Oversight.

## COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

April 9, 2014

The Honorable Tom Dempsey  
President Pro Tem  
State Capitol Building, Room 326  
Jefferson City, Mo 65101

Dear Senator Dempsey:

Please accept this letter as my resignation as a member of the Governmental Accountability and Fiscal Oversight Committee.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

/s/ Jay Wasson

Jay Wasson

State Senator, 20<sup>th</sup> District

Also,

April 9, 2014

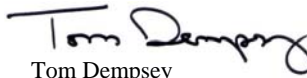
Terry Spieler  
Secretary of the Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler,

Due to the resignation of Senator Jay Wasson from the Senate Standing Committee on Governmental Accountability and Fiscal Oversight, I have appointed Senator David Sater in his stead.

Please do not hesitate to contact me should you have any questions.

Sincerely,



Tom Dempsey

Also,

April 9, 2014

Ms. Terry Spieler  
Secretary of the Senate  
State Capitol, Room 325  
Jefferson City, Mo 65101

Dear Ms. Spieler:

In accordance with SCR 19, I am appointing the following to the Missouri Lead Industry Employment, Economic Development and Environmental Remediation Task Force:

Senator Gary Romine, Chair

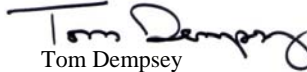
Senator Doug Libla

Senator Gina Walsh

Matt Wohl, Industry Representative

If you have any questions, please do not hesitate to contact me.

Sincerely,



Tom Dempsey

**RESOLUTIONS**

Senator Schmitt offered Senate Resolution No. 1813, regarding Alexander C. Roberds, which was adopted.

Senator Schaefer offered Senate Resolution No. 1814, regarding the One Hundredth Anniversary of the University of Missouri-Columbia Trulaske College of Business, which was adopted.

Senator Brown offered Senate Resolution No. 1815, regarding the Honorable Gary Brown, Salem, which was adopted.

Senator Wasson offered Senate Resolution No. 1816, regarding Zachary Montana Lee Fry, which was adopted.

Senator Silvey offered Senate Resolution No. 1817, regarding Cathy Swenson, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1818, regarding the death of Joyce P. Woolfork Mosley, St. Louis, which was adopted.

**INTRODUCTIONS OF GUESTS**

Senator Emery introduced to the Senate, the Physician of the Day, Curtis Long, M.D., Butler.

Senator Schmitt introduced to the Senate, Jeanne Marshall and her son, Logan, Wildwood; and Logan was made an honorary page.

Senator Parson introduced to the Senate, Class 3 State Champion El Dorado Springs Lady Bulldogs Basketball team.

Senator Kehoe introduced to the Senate, Laney Clemens, Tyler Clark and students from Simonsen Ninth Grade Center, Jefferson City.

Senator Wallingford introduced to the Senate, Pachyderms from St. Charles County, Greater Ozark, St. Louis, Jefferson County and Salt Fork.

On behalf of Senator Pearce, the President introduced to the Senate, Nora Faris, Concordia.

Senator Schaaf introduced to the Senate, Jerry Henson, Parkville; and Dewey Riehn, Ashland.

Senator Dempsey introduced to the Senate, Boys and Girls Clubs from throughout the state.

Senator Munzlinger introduced to the Senate, teacher Phylis McCollum and fourth grade students from Macon County R-4 School.

Senator Kehoe introduced to the Senate, Mike Pratt, Deputy Superintendent Gary Leimkuehler, Principal Kent Sherrow, Coaches Linda Lampkin, Allen Speckhals, Phil Landolt, Jennifer Wulff and members of the 2013 Class 2 State Volleyball Championship team from Hermann High School.

Senator Schaefer introduced to the Senate, State Youth of the Year Miles Gibson, Chareon Hickem, Joe Miller, Bob Drainer, Wally Pfeffer, Valorie Livingston, Devonne Wilson and Thomeana Porter, Boone County Boys and Girls Club.

Senator Silvey introduced to the Senate, students from St. Andrews School, Gladstone.

Senator Schmitt introduced to the Senate, teachers Kim Drury and Lynn Lopez; and fourth grade students

from St. Peters Elementary School, Kirkwood; and Hannah Lifka, Jared Thornberry, Kathryn Thomas, Sam Orlando and Cillian Deisner were made honorary pages.

Senator Schmitt introduced to the Senate, Jim Wright, Chris Pickel, Hardy Washington, Gene Maggard and David Burliss, members of Kirkwood/Des Peres Chamber of Commerce.

Senator Pearce introduced to the Senate, John Donnell, Bates City.

Senator Schmitt introduced to the Senate, fourth grade students from Our Lady of the Pillar, St. Louis.

Senator Pearce introduced to the Senate, Sarah McGoldrick; and Boys and Girls Club members Kim O'Brien and Donovan McGoldrick.

Senator Richard introduced to the Senate, Melanie Boon and her son, Mason, St. Louis.

Senator Richard introduced to the Senate, Superintendent Dr. Phil Cook and teachers Lisa Northup, Mandy Lybeck, Missy Nelson, Michelle Duley, Margaret Murty, Natalie Fletcher, Anna Passley, Joyce Blackburn, Dave Rice and Ryan Churchill, Carl Junction School District.

Senator Curls introduced to the Senate, Stacey Sedler, Mozetta Dyer and Cozetta Jenkins, St. Louis University.

Senator Wallingford introduced to the Senate, Kevin Teegarden, Jackson.

Senator Holsman introduced to the Senate, Bill Lenz and Lynne Rees, Kansas City.

On motion of Senator Richard, the Senate adjourned under the rules.

## SENATE CALENDAR

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FIFTIETH DAY—THURSDAY, APRIL 10, 2014

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## FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HB 1897-Kolkmeyer

HB 1968-Gosen

HCS for HB 2040

HB 1380-Peters and Ellington

HCS for HB 1605

HB 2028-Peters, et al

HB 1670-Dunn, et al

HB 1744-Walton Gray, et al

HCS for HB 1745

HB 1775-Colona and Hodges

HCS for HB 1302

HCS for HB 1326

HB 1617-Rehder, et al

HCS for HB 1439

HCS for HB 1237

HCS for HBs 1235 & 1214

HCS for HB 1303

HB 1305-Phillips, et al



HB 1138-Rowland

HJR 68-Hinson and Schatz

## THIRD READING OF SENATE BILLS

- |  |   |
|--|---|
| 1. SS for SCS for SB 666-Schmitt<br>(In Fiscal Oversight)          | 9. SB 500-Keaveny                                 |
| 2. SCS for SB 729-Romine   | 10. SB 695-Keaveny                                |
| 3. SCS for SB 785-Kehoe  | 11. SCS for SB 809-Wasson                         |
| 4. SB 812-Parson (In Fiscal Oversight)                             | 12. SCS for SB 892-Kraus<br>(In Fiscal Oversight) |
| 5. SB 818-Kehoe  | 13. SS for SCS for SB 774-Dempsey                 |
| 6. SCS for SB 854-Wasson   | 14. SS for SCS for SB 706-Cunningham              |
| 7. SB 734-Cunningham   | 15. SS for SB 575-Dixon<br>(In Fiscal Oversight)  |
| 8. SS for SCS for SB 491-Justus and<br>Dixon (In Fiscal Oversight) | 16. SB 890-Kehoe                                  |

## SENATE BILLS FOR PERFECTION

- |                                     |  |
|-------------------------------------|--|
| 1. SB 754-Sater and Justus          | 23. SB 819-Wallingford, with SCS       |
| 2. SB 617-Rupp and Parson, with SCS | 24. SBs 836 & 800-Munzlinger, with SCS |
| 3. SB 755-Wallingford               | 25. SB 842-Parson                      |
| 4. SB 769-Pearce, with SCS          | 26. SB 860-Cunningham                  |
| 5. SB 830-Parson                    | 27. SB 891-Kehoe                       |
| 6. SB 841-Wasson, with SCS          | 28. SB 762-Schaefer, with SCS          |
| 7. SB 919-Justus                    | 29. SB 875-Sater, with SCS             |
| 8. SBs 787 & 804-Justus, with SCS   | 30. SB 671-Sater                       |
| 9. SB 795-Lager                     | 31. SB 634-Parson, with SCS            |
| 10. SB 887-Schaefer                 | 32. SB 642-Romine, with SCS            |
| 11. SB 538-Keaveny and Holsman      | 33. SB 848-LeVota, with SCS            |
| 12. SB 786-Schmitt                  | 34. SB 566-Sifton                      |
| 13. SBs 638 & 647-Romine, with SCS  | 35. SB 992-Dempsey                     |
| 14. SB 578-Kraus                    | 36. SB 966-Lager                       |
| 15. SB 655-Kraus                    | 37. SB 852-Schmitt, with SCS           |
| 16. SB 659-Wallingford, with SCS    | 38. SB 704-Lager, with SCS             |
| 17. SB 717-Brown                    | 39. SB 758-Justus                      |
| 18. SB 794-Chappelle-Nadal          | 40. SB 873-Brown, with SCS             |
| 19. SB 866-Wasson and Cunningham    | 41. SB 844-Dixon                       |
| 20. SB 824-Dixon, with SCS          | 42. SB 641-Emery                       |
| 21. SB 724-Parson                   | 43. SB 869-Schmitt                     |
| 22. SB 550-Sater, with SCS          |  |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 490-Lager and Kehoe, with SCS	SB 712-Walsh, with SCS & SS for SCS
SB 501-Keaveny	(pending)
SB 518-Sater, with SCS, SA 2 & SA 1 to	SB 739-Romine, with SCS, SS for SCS,
SA 2 (pending)	SA 1 & SA 1 to SA 1 (pending)
SB 519-Sater, with SS & SA 1 (pending)	SB 790-Dixon, with SA 3 & point of order
SS for SB 543-Munzlinger	(pending)
SB 553-Emery, with SCS (pending)	SB 814-Brown
SB 555-Nasheed, with SS & SA 1 (pending)	SB 846-Richard
SB 573-Munzlinger, with SCS	SB 850-Munzlinger and Holsman, with SCS
SB 589-Brown, with SCS, SA 2 & SA 1 to	& SS for SCS (pending)
SA 2 (pending)	SJR 25-Lager, with SS, SA 2 & SA 1 to
SB 599-Kraus, with SCS & SA 2 (pending)	SA 2 (pending)
SB 644-LeVota	SJR 26-Lager, with SS & SA 1 (pending)
SB 663-Munzlinger, with SCS	SJR 34-Emery
SB 692-Wasson, with SA 1 (pending)	SJR 42-Schmitt, with SS (pending)

HOUSE BILLS ON THIRD READING

HB 1173-Burlison, et al (Brown), with  
SA 1, SA 1 to SA 1 & point of order  
(pending)

RESOLUTIONS

Reported from Committee

SCR 34-LeVota	HCR 11-Walton Gray, et al (Walsh)
HCR 5-English, et al (Walsh)	HCS for HCR 20 (Munzlinger)

To be Referred

SCR 42-LeVota

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# Journal of the Senate

## SECOND REGULAR SESSION

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**FIFTIETH DAY—THURSDAY, APRIL 10, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“...my steadfast love shall not depart from you, and my covenant of peace shall not be removed, says the Lord, who has compassion on you.” (Isaiah 54:10b)

Gracious Lord, Your eternal covenant proclaims Your ultimate desire to make us whole and love us; may we not take Your love for granted. As we head home this day, may we reflect on Your gracious love and all that You do for us, so that we may love and be gracious to others, particularly those You have given us to love. May we use this time away from here to renew our strength and increase our appreciation of our loved ones and grow in faithfulness to You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Holsman offered the following resolution, which was adopted:

**SENATE RESOLUTION NO. 1819**

Whereas, Juliette Low established the Girl Scout program in 1912 to help girls build skills and values and give back to their country through leadership and service; and

Whereas, today, the organization has evolved into a foundation based on three different leadership journeys whereby girls set goals, connect with others and take action in their communities to make the world a better place; and

Whereas, in their quest to achieve the Bronze Award, the highest honor for Junior Girl Scouts, Lee's Summit Girl Scout Troop 3086 focused on the Agent of Change Journey and developed a concept to promote "Acts of Kindness (A-OK)" in each other and the community, rather than focusing on negativity; and

Whereas, to further enhance their concept, these 6th grade girls presented their idea to the Lee's Summit city council and were awarded a proclamation by Mayor Randall Rhoads declaring May 1, 2013 as A-OK May Day; and

Whereas, the troop is now inviting the citizens of the entire state to support their project and set aside a day to encourage people to do acts of kindness across our state:

Now, Therefore, Be It Resolved that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, hereby recognize May 1, 2014 as A-OK May Day and encourage all citizens of the State of Missouri to join in this recognition and do acts of kindness across the entire state.

Senator Sater offered Senate Resolution No. 1820, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Don Johnson, Aurora, which was adopted.

Senator Sater offered Senate Resolution No. 1821, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Ronnie Banks, Washburn, which was adopted.

Senator Sater offered Senate Resolution No. 1822, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Larry Simpson, Marionville, which was adopted.

Senator Sater offered Senate Resolution No. 1823, regarding the Class 2 state champions 2013-2014 Crane High School girls basketball program, which was adopted.

**CONCURRENT RESOLUTIONS**

Senator Walsh moved that **HCR 5** be taken up for adoption, which motion prevailed.

On motion of Senator Walsh, **HCR 5** was adopted by the following vote:

**YEAS—Senators**

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Keaveny	Kehoe
Kraus	Lager	Lamping	Libla	Munzlinger	Nieves	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford
Walsh	Wasson—26						

**NAYS—Senators**

Chappelle-Nadal	Holsman	Justus	LeVota	Nasheed	Sifton—6
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Walsh moved that **HCR 11** be taken up for adoption, which motion prevailed.

On motion of Senator Walsh, **HCR 11** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Munzlinger moved that **HCS** for **HCR 20** be taken up for adoption, which motion prevailed.

On motion of Senator Munzlinger, **HCS** for **HCR 20** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Pearce assumed the Chair.

Senator LeVota moved that **SCR 34** be taken up for adoption, which motion prevailed.

On motion of Senator LeVota, **SCR 34** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

**REPORTS OF STANDING COMMITTEES**

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SB 812**; **SCS** for **SB 892**; and **SS** for **SCS** for **SB 491**, begs leave to report that it has considered the same and recommends that the bills do pass.

**THIRD READING OF SENATE BILLS**

**SCS** for **SB 729**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 729**

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to a tax credit for donations to innovation campuses.

Was taken up by Senator Romine.

On motion of Senator Romine, **SCS** for **SB 729** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 785**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 785**

An Act to repeal section 306.127, RSMo, and to enact in lieu thereof one new section relating to temporary boating safety identification cards.

Was taken up by Senator Kehoe.

On motion of Senator Kehoe, **SCS** for **SB 785** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 812**, introduced by Senator Parson, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to a department of economic development office in Israel.

Was taken up.

On motion of Senator Parson, **SB 812** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 818**, introduced by Senator Kehoe, entitled:

An Act to repeal section 305.230, RSMo, and to enact in lieu thereof one new section relating to the state aviation trust fund.

Was taken up.

On motion of Senator Kehoe, **SB 818** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 854**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 854

An Act to repeal sections 50.660 and 50.783, RSMo, and to enact in lieu thereof two new sections relating to county purchases.

Was taken up by Senator Wasson.

On motion of Senator Wasson, **SCS** for **SB 854** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2



The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 734**, introduced by Senator Cunningham, entitled:

An Act to repeal section 394.120, RSMo, and to enact in lieu thereof one new section relating to electric cooperatives.

Was taken up.

On motion of Senator Cunningham, **SB 734** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS for SCS for SB 491**, introduced by Senators Justus and Dixon, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 491

An Act to repeal sections 160.261, 167.115, 167.171, 168.071, 195.005, 195.010, 195.015, 195.017, 195.025, 195.030, 195.040, 195.050, 195.080, 195.100, 195.110, 195.130, 195.135, 195.140, 195.150, 195.180, 195.190, 195.195, 195.198, 195.202, 195.204, 195.211, 195.212, 195.213, 195.214, 195.217, 195.218, 195.219, 195.222, 195.223, 195.226, 195.233, 195.235, 195.241, 195.242, 195.246, 195.248, 195.252, 195.254, 195.256, 195.275, 195.280, 195.285, 195.291, 195.292, 195.295, 195.296, 195.367, 195.369, 195.371, 195.375, 195.417, 195.418, 195.420, 195.501, 195.503, 195.505, 195.507, 195.509, 195.511, 195.515, 198.070, 210.117, 210.1012, 211.038, 217.010, 217.360, 217.364, 217.703, 217.735, 217.785, 221.025, 221.111, 260.211, 302.020, 302.309, 302.321, 302.540, 302.541, 302.700, 302.780, 303.025, 306.110, 306.111, 306.112, 306.114, 306.116, 306.117, 306.118, 306.119, 306.141, 311.325,

556.011, 556.016, 556.021, 556.022, 556.026, 556.037, 556.051, 556.056, 556.061, 556.063, 557.016, 557.021, 557.026, 557.035, 557.036, 557.041, 557.046, 558.011, 558.016, 558.018, 558.019, 558.041, 558.046, 559.036, 559.100, 559.106, 559.115, 559.600, 559.633, 560.011, 560.016, 560.021, 560.026, 560.031, 560.036, 564.011, 564.016, 565.002, 565.004, 565.021, 565.024, 565.025, 565.050, 565.060, 565.063, 565.065, 565.070, 565.072, 565.073, 565.074, 565.075, 565.080, 565.081, 565.082, 565.083, 565.084, 565.085, 565.086, 565.090, 565.092, 565.095, 565.100, 565.110, 565.115, 565.120, 565.130, 565.140, 565.149, 565.150, 565.153, 565.156, 565.160, 565.163, 565.165, 565.169, 565.180, 565.182, 565.184, 565.186, 565.188, 565.190, 565.200, 565.210, 565.212, 565.214, 565.216, 565.218, 565.220, 565.225, 565.250, 565.252, 565.253, 565.255, 565.350, 566.010, 566.013, 566.020, 566.023, 566.030, 566.032, 566.060, 566.062, 566.067, 566.068, 566.083, 566.086, 566.093, 566.100, 566.101, 566.135, 566.140, 566.141, 566.145, 566.147, 566.148, 566.149, 566.150, 566.153, 566.155, 566.212, 566.213, 566.215, 566.218, 566.221, 566.224, 566.226, 566.265, 567.010, 567.020, 567.030, 567.040, 567.070, 567.080, 567.085, 567.087, 567.110, 568.020, 568.030, 568.032, 568.040, 568.045, 568.050, 568.052, 568.060, 568.070, 568.080, 568.090, 568.100, 568.110, 568.120, 569.010, 569.020, 569.025, 569.030, 569.035, 569.060, 569.065, 569.067, 569.070, 569.072, 569.090, 569.094, 569.095, 569.097, 569.099, 569.100, 569.145, 570.010, 570.020, 570.030, 570.033, 570.040, 570.050, 570.055, 570.080, 570.085, 570.087, 570.103, 570.120, 570.123, 570.125, 570.130, 570.135, 570.140, 570.145, 570.155, 570.160, 570.170, 570.180, 570.190, 570.217, 570.219, 570.220, 570.222, 570.223, 570.225, 570.226, 570.230, 570.235, 570.240, 570.241, 570.245, 570.255, 570.300, 570.380, 572.020, 572.120, 573.010, 573.013, 573.020, 573.025, 573.030, 573.035, 573.040, 573.050, 573.052, 573.060, 573.065, 573.100, 573.500, 573.509, 573.528, 573.531, 574.020, 574.030, 574.075, 574.085, 574.115, 575.021, 575.145, 575.153, 575.280, 575.350, 575.353, 576.050, 577.001, 577.005, 577.006, 577.010, 577.012, 577.017, 577.020, 577.021, 577.023, 577.026, 577.029, 577.031, 577.037, 577.039, 577.049, 577.051, 577.052, 577.054, 577.060, 577.065, 577.068, 577.070, 577.071, 577.076, 577.080, 577.090, 577.100, 577.105, 577.110, 577.150, 577.155, 577.160, 577.161, 577.201, 577.203, 577.206, 577.208, 577.211, 577.214, 577.217, 577.221, 577.500, 577.505, 577.510, 577.515, 577.520, 577.525, 577.530, 577.600, 577.602, 577.604, 577.606, 577.608, 577.610, 577.612, 577.614, 577.625, 577.628, 577.675, 577.680, 578.008, 578.009, 578.150, 578.154, 578.200, 578.205, 578.210, 578.215, 578.220, 578.225, 578.250, 578.255, 578.260, 578.265, 578.300, 578.305, 578.310, 578.315, 578.320, 578.325, 578.330, 578.350, 578.353, 578.360, 578.363, 578.365, 578.375, 578.377, 578.379, 578.381, 578.383, 578.385, 578.387, 578.389, 578.390, 578.392, 578.405, 578.407, 578.409, 578.412, 578.414, 578.416, 578.418, 578.420, 578.421, 578.430, 578.433, 578.450, 578.500, 578.501, 578.502, 578.503, 578.510, 578.570, 589.015, 589.400, 632.480, 660.250, 660.255, 660.260, 660.261, 660.263, 660.265, 660.270, 660.275, 660.280, 660.285, 660.290, 660.295, 660.300, 660.305, 660.310, 660.315, 660.317, 660.320, and 660.321, RSMo, section 302.060 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session, section 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402 merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, section 302.304 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session, section 302.304 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, section 577.041 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly,

first regular session, and section 577.041 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill nos. 1695, 1742 & 1672, ninety-fifth general assembly, second regular session, and to enact in lieu thereof three hundred ninety-four new sections for the sole purpose of restructuring the Missouri criminal code, with penalty provisions and an effective date.

Was taken up by Senator Justus.

On motion of Senator Justus, **SS** for **SCS** for **SB 491** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators

Kraus	Schaefer	Schmitt—3
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Justus, title to the bill was agreed to.

Senator Justus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schmitt assumed the Chair.

**SB 500**, introduced by Senator Keaveny, entitled:

An Act to amend chapters 456 and 474, RSMo, by adding thereto two new sections relating to no-contest clauses.

Was taken up.

On motion of Senator Keaveny, **SB 500** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 695**, introduced by Senator Keaveny, entitled:

An Act to repeal section 454.500, RSMo, and to enact in lieu thereof one new section relating to the authority to add a child through modification of an administrative child support order.

Was taken up.

On motion of Senator Keaveny, **SB 695** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 809**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 809

An Act to repeal sections 327.011, 327.031, 327.041, 327.051, 327.076, 327.081, 327.091, 327.101, 327.106, 327.131, 327.141, 327.151, 327.161, 327.171, 327.172, 327.181, 327.191, 327.221, 327.231, 327.241, 327.251, 327.261, 327.271, 327.272, 327.312, 327.313, 327.314, 327.321, 327.331, 327.341, 327.351, 327.381, 327.391, 327.392, 327.401, 327.411, 327.421, 327.442, 327.451, 327.461, 327.600, 327.603, 327.607, 327.612, 327.615, 327.617, 327.619, 327.621, 327.622, 327.623, 327.629, 327.630,

327.631, 327.635, RSMo, and to enact in lieu thereof fifty-one new sections relating to licensure by the board for architects, professional engineers, professional land surveyors and professional landscape architects, with an existing penalty provision.

Was taken up by Senator Wasson.

On motion of Senator Wasson, **SCS** for **SB 809** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 892**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 892

An Act to repeal sections 115.123 and 115.755, RSMo, and to enact in lieu thereof two new sections relating to the presidential primary election date.

Was taken up by Senator Kraus.

On motion of Senator Kraus, **SCS** for **SB 892** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Holsman	Kehoe	Kraus
Lager	Lamping	LeVota	Libla	Munzlinger	Nieves	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford
Wasson—25							

NAYS—Senators

Chappelle-Nadal	Curls	Justus	Keaveny	Nasheed	Sifton	Walsh—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS** for **SCS** for **SB 774**, introduced by Senator Dempsey, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 774

An Act to repeal sections 99.805, 99.820, and 99.825, RSMo, and to enact in lieu thereof three new sections relating to tax increment financing.

Was taken up.

On motion of Senator Dempsey, **SS** for **SCS** for **SB 774** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Chappelle-Nadal—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Dempsey, title to the bill was agreed to.

Senator Dempsey moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS** for **SCS** for **SB 706**, introduced by Senator Cunningham, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 706

An Act to amend chapter 416, RSMo, by adding thereto five new sections relating to bad faith assertions

of patent infringement.

Was taken up.

On motion of Senator Cunningham, **SS** for **SCS** for **SB 706** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 890**, introduced by Senator Kehoe, entitled:

An Act to repeal section 508.010, RSMo, and to enact in lieu thereof one new section relating to venue for injury outside the state of Missouri in connection with railroad operations.

Was taken up.

On motion of Senator Kehoe, **SB 890** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Silvey	Wallingford	Wasson—28				

NAYS—Senators

Chappelle-Nadal	Keaveny	Sifton	Walsh—4
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1372**, entitled:

An Act to repeal sections 578.501, 578.502, and 578.503, RSMo, and to enact in lieu thereof one new section relating to protest activities at funeral services, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1371**, entitled:

An Act to repeal sections 32.057, 105.478, 115.631, 142.909, 142.911, 143.1001, 143.1003, 149.200, 168.071, 188.030, 190.621, 191.905, 191.914, 193.315, 194.410, 194.425, 195.005, 195.010, 195.015, 195.016, 195.017, 195.025, 195.030, 195.040, 195.050, 195.060, 195.080, 195.100, 195.110, 195.130, 195.135, 195.140, 195.150, 195.180, 195.190, 195.195, 195.198, 195.202, 195.204, 195.211, 195.212, 195.213, 195.214, 195.217, 195.218, 195.219, 195.222, 195.223, 195.226, 195.233, 195.235, 195.241, 195.242, 195.246, 195.248, 195.252, 195.254, 195.256, 195.275, 195.280, 195.285, 195.291, 195.292, 195.295, 195.296, 195.367, 195.369, 195.371, 195.375, 195.417, 195.418, 195.420, 195.501, 195.503, 195.505, 195.507, 195.509, 195.511, 195.515, 196.979, 197.266, 197.326, 198.015, 198.070, 198.097, 198.158, 205.965, 210.117, 210.165, 211.038, 214.410, 217.360, 217.385, 217.400, 217.405, 217.542, 217.543, 217.692, 217.703, 221.025, 221.111, 221.353, 252.235, 253.080, 260.207, 260.208, 260.211, 260.212, 270.260, 276.421, 276.536, 277.180, 285.306, 285.308, 287.128, 287.129, 288.250, 288.395, 301.390, 301.400, 301.401, 301.559, 301.640, 302.015, 302.020, 302.060, 302.181, 302.302, 302.304, 302.321, 302.500, 302.540, 302.541, 302.605, 302.705, 302.710, 302.727, 302.745, 302.750, 302.755, 302.780, 303.024, 303.025, 304.070, 306.110, 306.111, 306.112, 306.114, 306.116, 306.117, 306.118, 306.119, 306.141, 306.420, 311.325, 313.004, 313.040, 313.290, 313.550, 313.660, 313.830, 317.018, 320.089, 320.161, 324.1142, 324.1148, 334.250, 335.096, 338.195, 338.315, 338.370, 354.320, 362.170, 367.031, 367.045, 374.210, 374.216, 374.702, 374.757, 374.789, 375.310, 375.537, 375.720, 375.786, 375.991, 375.1176, 375.1287, 380.391, 382.275, 389.653, 407.020, 407.095, 407.420, 407.436, 407.521, 407.536, 407.544, 407.740, 407.1082, 407.1252, 411.260, 411.287, 411.371, 411.517, 411.770, 413.229, 429.012, 429.013, 429.014, 436.485, 443.810, 443.819, 453.110, 455.085, 455.538, 542.402, 544.665, 556.011, 556.016, 556.021, 556.022, 556.026, 556.036, 556.037, 556.041, 556.046, 556.051, 556.056, 556.061, 556.063, 557.016, 557.021, 557.026, 557.031, 557.035, 557.036, 557.041, 557.046, 558.011, 558.016, 558.018, 558.019, 558.031, 558.041, 558.046, 559.012, 559.021, 559.036, 559.100, 559.106, 559.110, 559.115, 559.120, 559.125, 559.600, 559.604, 559.633, 560.011, 560.016, 560.021, 560.026,



560.031, 560.036, 561.016, 561.021, 561.026, 562.011, 562.016, 562.031, 562.036, 562.041, 562.051, 562.056, 562.061, 562.066, 562.071, 562.076, 562.086, 563.021, 563.026, 563.033, 563.046, 563.051, 563.056, 563.061, 563.070, 564.011, 564.016, 565.002, 565.004, 565.020, 565.021, 565.023, 565.024, 565.025, 565.030, 565.032, 565.035, 565.040, 565.050, 565.060, 565.063, 565.065, 565.070, 565.072, 565.073, 565.074, 565.075, 565.080, 565.081, 565.082, 565.083, 565.084, 565.085, 565.086, 565.090, 565.092, 565.095, 565.100, 565.110, 565.115, 565.120, 565.130, 565.140, 565.149, 565.150, 565.153, 565.156, 565.160, 565.163, 565.165, 565.169, 565.180, 565.182, 565.184, 565.186, 565.188, 565.190, 565.200, 565.210, 565.212, 565.214, 565.216, 565.218, 565.220, 565.225, 565.250, 565.252, 565.253, 565.255, 565.300, 565.350, 566.010, 566.013, 566.020, 566.023, 566.025, 566.030, 566.031, 566.032, 566.034, 566.060, 566.061, 566.062, 566.064, 566.067, 566.068, 566.083, 566.086, 566.093, 566.100, 566.101, 566.111, 566.135, 566.140, 566.141, 566.145, 566.147, 566.148, 566.149, 566.150, 566.151, 566.153, 566.155, 566.203, 566.206, 566.209, 566.212, 566.213, 566.215, 566.218, 566.221, 566.224, 566.226, 566.265, 567.010, 567.020, 567.030, 567.040, 567.050, 567.060, 567.070, 567.080, 567.085, 567.087, 567.110, 567.120, 568.010, 568.020, 568.030, 568.032, 568.040, 568.045, 568.050, 568.052, 568.060, 568.065, 568.070, 568.080, 568.090, 568.100, 568.110, 568.120, 568.175, 569.010, 569.020, 569.025, 569.030, 569.035, 569.040, 569.050, 569.055, 569.060, 569.065, 569.067, 569.070, 569.072, 569.080, 569.090, 569.094, 569.095, 569.097, 569.099, 569.100, 569.120, 569.130, 569.140, 569.145, 569.150, 569.155, 569.160, 569.170, 569.180, 570.010, 570.020, 570.030, 570.033, 570.040, 570.050, 570.055, 570.070, 570.080, 570.085, 570.087, 570.090, 570.100, 570.103, 570.110, 570.120, 570.123, 570.125, 570.130, 570.135, 570.140, 570.145, 570.150, 570.155, 570.160, 570.170, 570.180, 570.190, 570.200, 570.210, 570.215, 570.217, 570.219, 570.220, 570.222, 570.223, 570.224, 570.225, 570.226, 570.230, 570.235, 570.240, 570.241, 570.245, 570.255, 570.300, 570.310, 570.380, 571.010, 571.014, 571.015, 571.017, 571.020, 571.030, 571.045, 571.050, 571.060, 571.063, 571.070, 571.072, 571.080, 571.085, 571.087, 571.093, 571.095, 571.101, 571.104, 571.107, 571.111, 571.114, 571.117, 571.121, 571.150, 572.010, 572.020, 572.030, 572.040, 572.050, 572.060, 572.070, 572.110, 572.120, 573.010, 573.013, 573.020, 573.023, 573.025, 573.030, 573.035, 573.037, 573.040, 573.050, 573.052, 573.060, 573.065, 573.090, 573.100, 573.500, 573.509, 573.528, 573.531, 574.010, 574.020, 574.030, 574.040, 574.050, 574.060, 574.070, 574.075, 574.085, 574.105, 574.115, 575.020, 575.021, 575.030, 575.040, 575.050, 575.060, 575.070, 575.080, 575.090, 575.100, 575.110, 575.120, 575.130, 575.145, 575.150, 575.153, 575.159, 575.160, 575.170, 575.180, 575.190, 575.195, 575.200, 575.205, 575.206, 575.210, 575.220, 575.230, 575.240, 575.250, 575.260, 575.270, 575.280, 575.290, 575.300, 575.310, 575.320, 575.350, 575.353, 576.010, 576.020, 576.030, 576.040, 576.050, 576.060, 576.070, 576.080, 577.001, 577.005, 577.006, 577.010, 577.012, 577.017, 577.020, 577.021, 577.023, 577.026, 577.029, 577.031, 577.037, 577.039, 577.041, 577.049, 577.051, 577.052, 577.054, 577.060, 577.065, 577.068, 577.070, 577.071, 577.073, 577.075, 577.076, 577.080, 577.090, 577.100, 577.105, 577.110, 577.150, 577.155, 577.160, 577.161, 577.201, 577.203, 577.206, 577.208, 577.211, 577.214, 577.217, 577.221, 577.500, 577.505, 577.510, 577.515, 577.520, 577.525, 577.530, 577.600, 577.602, 577.604, 577.606, 577.608, 577.610, 577.612, 577.614, 577.625, 577.628, 577.675, 577.680, 578.008, 578.009, 578.012, 578.018, 578.021, 578.023, 578.024, 578.025, 578.027, 578.028, 578.029, 578.030, 578.075, 578.095, 578.100, 578.105, 578.106, 578.110, 578.120, 578.150, 578.151, 578.152, 578.153, 578.154, 578.173, 578.176, 578.200, 578.205, 578.210, 578.215, 578.220, 578.225, 578.250, 578.255, 578.260, 578.265, 578.300, 578.305, 578.310, 578.315, 578.320, 578.325, 578.330, 578.350, 578.353, 578.360, 578.363, 578.365, 578.375, 578.377, 578.379, 578.381, 578.383, 578.385, 578.387, 578.389, 578.390, 578.405, 578.407, 578.409, 578.412, 578.414, 578.416, 578.418, 578.420, 578.421, 578.425, 578.430, 578.433, 578.437,

578.445, 578.450, 578.500, 578.501, 578.502, 578.503, 578.510, 578.520, 578.525, 578.530, 578.570, 578.614, 589.015, 589.425, 590.700, 610.125, 630.155, 630.165, 660.250, 660.255, 660.260, 660.261, 660.263, 660.265, 660.270, 660.275, 660.280, 660.285, 660.290, 660.295, 660.300, 660.305, 660.310, 660.315, 660.317, 660.320, 660.321, and 701.320, RSMo, and section 130.028 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 130.028 as enacted by conference committee substitute for house committee substitute for senate bill no. 650, eighty-ninth general assembly, second regular session, and section 130.031 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 130.031 as enacted by conference committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, and section 476.055 as enacted by senate committee substitute for house bill no. 1460 merged with conference committee substitute for house committee substitute for senate bill no. 628, ninety-sixth general assembly, second regular session, and section 476.055 as enacted by conference committee substitute for house committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, and to enact in lieu thereof seven hundred nine new sections for the sole purpose of restructuring the Missouri criminal code, with penalty provisions and an effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1594**, entitled:

An Act to repeal section 290.230, RSMo, and to enact in lieu thereof one new section relating to volunteer labor on public works projects.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1179** and **1765**, entitled:

An Act to repeal sections 136.300, 142.815, 144.010, 144.018, 144.020, 144.030, and 144.044, RSMo, and to enact in lieu thereof seven new sections relating to sales taxes on places of amusement, entertainment, recreation, games, athletic events, motor fuel, and manufactured homes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1490**, entitled:

An Act to repeal sections 160.514 and 161.022, RSMo, and to enact in lieu thereof three new sections relating to elementary and secondary education.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

President Pro Tem Dempsey assumed the Chair.

### **SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **CCS** for **SCS** for **HB 2014**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

### **REPORTS OF STANDING COMMITTEES**

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 494**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HB 1206**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Education, to which was referred **HB 1389**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 1426**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 1495**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 1501**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 912**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 896**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HJR 72**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 888**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 964**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 1300**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 1376**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 1523**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 1218**, begs leave to report that it has considered the same and recommends that

the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HJR 47**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 770**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 884**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 1361**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 1079**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 958**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 858**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **HCS** for **HB 1295**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **HB 2029**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 669**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following report:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SB 821**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 823**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 973**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS** for **HRB 1298**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HB 1633**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HB 1791**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HB 1602**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HB 1651**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Pearce assumed the Chair.

Senator Kehoe assumed the Chair.

### **HOUSE BILLS ON SECOND READING**

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

**HB 1897**—Agriculture, Food Production and Outdoor Resources.

**HB 1968**—Financial and Governmental Organizations and Elections.

**HCS for HB 2040**—Veterans' Affairs and Health.

**HB 1380**—Seniors, Families and Pensions.

**HCS for HB 1605**—General Laws.

**HB 2028**—General Laws.

**HB 1670**—General Laws.

**HB 1744**—General Laws.

**HCS for HB 1745**—Veterans' Affairs and Health.

**HB 1775**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HB 1302**—Commerce, Consumer Protection, Energy and the Environment.

**HCS for HB 1326**—Agriculture, Food Production and Outdoor Resources.

**HB 1617**—Small Business, Insurance and Industry.

**HCS for HB 1439**—General Laws.

**HCS for HB 1237**—Ways and Means.

**HCS for HBs 1235 & 1214**—Transportation and Infrastructure.

**HCS for HB 1303**—Education.

**HB 1305**—Transportation and Infrastructure.

**HB 1138**—Education.

**HJR 68**—Transportation and Infrastructure.

### **REFERRALS**

President Pro Tem Dempsey referred **SCR 42** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

### **COMMUNICATIONS**

Senator Dempsey submitted the following:

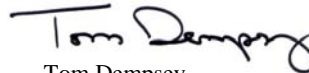
April 10, 2014

Terry Spieler  
Secretary of the Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler,

Please be advised that I have appointed Senator Brad Lager to the Senate Standing Committee on Small Business, Insurance and Industry.  
Please do not hesitate to contact me should you have any questions.

Sincerely,



Tom Dempsey

### **RESOLUTIONS**

Senator Pearce offered Senate Resolution No. 1824, regarding the death of Edna Beth Groseclose, Windsor, which was adopted.

Senator Sifton offered Senate Resolution No. 1825, regarding Vito Sam Vitale, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1826, regarding Daniel Brian Brett, Oakville, which was adopted.

Senator Sifton offered Senate Resolution No. 1827, regarding Paul James Keilholz, Saint Louis, which was adopted.

Senator Dempsey offered Senate Resolution No. 1828, regarding Joan M. Wagner, Saint Charles, which was adopted.

Senator Nasheed offered Senate Resolution No. 1829, regarding the Ninetieth Birthday of Sister Mary Antona Ebo, which was adopted.

Senator Nasheed offered Senate Resolution No. 1830, regarding Lisa Ann Taylor, which was adopted.

Senators Lamping and Schmitt offered Senate Resolution No. 1831, regarding Christina Pearl Vogt, Ballwin, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Richard introduced to the Senate, Melanie Davidson, Neosho.

Senator Emery introduced to the Senate, teacher Marsha Olson and eleven fourth grade students from Clinton Christian Academy.

Senator Emery introduced to the Senate, the Physician of the Day, Dr. Bill Turner and Marie Wesley, Nevada.

Senator Nieves introduced to the Senate, students from Marquette High School, Chesterfield.

Senator Pearce introduced to the Senate, Susan Schreiman, Mary Bargfrede and eighth grade students: Skyler Wilsie, Dallas Wilsie, David Eads, Allison Weber, Hannah Bruntzel, Emily Limback, Sadie Limback, Matthew Chiddix, Harrison Boynton and Hannah Bargfrede, Trinity Lutheran School, Alma.



Senator Cunningham introduced to the Senate, Jerry Cook, Kathryn Cook, Marge Ragsdale and Wilson Cook, Marshfield.

On behalf of Senator Pearce, the President introduced to the Senate, fourth grade students from Sterling Elementary School, Warrensburg.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, April 14, 2014.

## SENATE CALENDAR

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FIFTY-FIRST DAY—MONDAY, APRIL 14, 2014

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## FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HB 1372-Cox, et al  
HCS for HB 1371  
HB 1594-Davis, et al

HCS for HBs 1179 & 1765  
HB 1490-Bahr, et al

### THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt (In  
Fiscal Oversight)

SS for SB 575-Dixon (In Fiscal  
Oversight)

### SENATE BILLS FOR PERFECTION

1. SB 754-Sater and Justus
2. SB 617-Rupp and Parson, with SCS
3. SB 755-Wallingford
4. SB 769-Pearce, with SCS
5. SB 830-Parson
6. SB 841-Wasson, with SCS
7. SB 919-Justus
8. SBs 787 & 804-Justus, with SCS
9. SB 795-Lager
10. SB 887-Schaefer
11. SB 538-Keaveny and Holsman
12. SB 786-Schmitt
13. SBs 638 & 647-Romine, with SCS

14. SB 578-Kraus
15. SB 655-Kraus
16. SB 659-Wallingford, with SCS
17. SB 717-Brown
18. SB 794-Chappelle-Nadal
19. SB 866-Wasson and Cunningham
20. SB 824-Dixon, with SCS
21. SB 724-Parson
22. SB 550-Sater, with SCS
23. SB 819-Wallingford, with SCS
24. SBs 836 & 800-Munzlinger, with SCS
25. SB 842-Parson
26. SB 860-Cunningham

- |                               |  |
|-------------------------------|--|
| 27. SB 891-Kehoe              | 42. SB 641-Emery                       |
| 28. SB 762-Schaefer, with SCS | 43. SB 869-Schmitt                     |
| 29. SB 875-Sater, with SCS    | 44. SB 494-Pearce                      |
| 30. SB 671-Sater              | 45. SB 912-Wasson and Justus, with SCS |
| 31. SB 634-Parson, with SCS   | 46. SB 896-Wallingford, with SCS       |
| 32. SB 642-Romine, with SCS   | 47. SB 888-Parson, with SCS            |
| 33. SB 848-LeVota, with SCS   | 48. SB 964-Lager                       |
| 34. SB 566-Sifton             | 49. SB 770-Wallingford, with SCS       |
| 35. SB 992-Dempsey            | 50. SB 884-Wallingford and Sater       |
| 36. SB 966-Lager              | 51. SB 958-Nieves                      |
| 37. SB 852-Schmitt, with SCS  | 52. SB 858-Kraus                       |
| 38. SB 704-Lager, with SCS    | 53. SB 669-Schaaf                      |
| 39. SB 758-Justus             | 54. SB 821-Schaefer                    |
| 40. SB 873-Brown, with SCS    | 55. SB 823-Dixon, et al, with SCS      |
| 41. SB 844-Dixon              | 56. SB 973-Brown                       |

#### HOUSE BILLS ON THIRD READING

- |  |                                      |
|--|--------------------------------------|
| 1. HB 1495-Torpey and Hicks, with SCS<br>(Dixon) | 6. HB 1361-Gosen and Wieland         |
| 2. HCS for HB 1501 (Schmitt)                     | 7. HCS for HB 1079                   |
| 3. HJR 72-Richardson, et al                      | 8. HCS for HB 1295, with SCS (Kraus) |
| 4. HCS for HB 1218 (Wasson)                      | 9. HB 2029-Cierpiot (Nieves)         |
| 5. HCS for HJR 47 (Kraus)                        | 10. HCS for HRB 1298 (Lager)         |

#### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

- |  |   |
|--|---|
| SB 490-Lager and Kehoe, with SCS                         | SB 599-Kraus, with SCS & SA 2 (pending)                               |
| SB 501-Keaveny   | SB 644-LeVota   |
| SB 518-Sater, with SCS, SA 2 & SA 1 to<br>SA 2 (pending) | SB 663-Munzlinger, with SCS   |
| SB 519-Sater, with SS & SA 1 (pending)                   | SB 692-Wasson, with SA 1 (pending)                                    |
| SS for SB 543-Munzlinger                                 | SB 712-Walsh, with SCS & SS for SCS<br>(pending)                      |
| SB 553-Emery, with SCS (pending)                         | SB 739-Romine, with SCS, SS for SCS, SA 1<br>& SA 1 to SA 1 (pending) |
| SB 555-Nasheed, with SS & SA 1 (pending)                 | SB 790-Dixon, with SA 3 & point of order<br>(pending)                 |
| SB 573-Munzlinger, with SCS                              | SB 814-Brown  |
| SB 589-Brown, with SCS, SA 2 & SA 1 to<br>SA 2 (pending) |   |

SB 846-Richard

SB 850-Munzlinger and Holsman, with SCS  
& SS for SCS (pending)

SJR 25-Lager, with SS, SA 2 & SA 1 to SA 2  
(pending)

SJR 26-Lager, with SS & SA 1 (pending)

SJR 34-Emery

SJR 42-Schmitt, with SS (pending)

### HOUSE BILLS ON THIRD READING

HB 1173-Burlison, et al, with SA 1, SA 1 to  
SA 1 & point of order (pending) (Brown)

### CONSENT CALENDAR

#### House Bills

Reported 4/10

HB 1206-Wilson

HCS for HB 1389 (Pearce)

HCS for HB 1426 (Schmitt)

HCS for HB 1300 (Schaefer)

HCS for HB 1376 (Keaveny)

HCS for HB 1523 (Pearce)

HB 1633-Franklin, et al (Brown)

HB 1791-Fitzwater, et al

HB 1602-Engler and Black

HB 1651-Fraker

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# Journal of the Senate

## SECOND REGULAR SESSION

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**FIFTY-FIRST DAY—MONDAY, APRIL 14, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Let the hills sing for joy.” (Psalm 98:8)

Lord God, as we drove here today it seems that winter and spring cannot make up their mind whose season it is, but in this holiest week in the Christian calendar and prepare for Passover we sense that new life is about us. So thank You, Lord, for the promise of spring and new life, for the assurance that life moves forward from death to life, from winter to spring from dark to light. Help us share this promise with those about us, those in pain that have trouble with seeing joy about them and those whose lives seem marginized. May the promise be strong in us and provide hope for those who see our witness. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 10, 2014 was read and approved.

The following Senators were present during the day’s proceedings:

**Present—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

**Absent—Senators—None**

**Absent with leave—Senators—None**

**Vacancies—2**

The Lieutenant Governor was present.

## **RESOLUTIONS**

Senator Lager offered Senate Resolution No. 1832, regarding Lukas Erickson, which was adopted.

Senator Dixon offered Senate Resolution No. 1833, regarding Lucinda Poe, which was adopted.

Senator Libla offered Senate Resolution No. 1834, regarding William Alton Bohannon, Morehouse, which was adopted.

Senator Dixon offered Senate Resolution No. 1835, regarding Paige Oxendine, Neosho, which was adopted.

Senator Kraus offered Senate Resolution No. 1836, regarding the 2013-2014 state champion Summit Lakes Middle School archery team, which was adopted.

Senator Emery offered Senate Resolution No. 1837, regarding Braden “Brady” Niswonger, which was adopted.

Senator Schaefer offered Senate Resolution No. 1838, regarding the Class 5 State Champion 2013-2014 Rock Bridge Girls Basketball Team, which was adopted.

Senator Libla offered Senate Resolution No. 1839, regarding Ava Fowler, Advance, which was adopted.

Senator Schaaf offered Senate Resolution No. 1840, regarding the Fifty-fifth Wedding Anniversary of Mr. and Mrs. Billy L. Catron, St. Joseph, which was adopted.

Senator Schaaf offered Senate Resolution No. 1841, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Chester Dietderich, St. Joseph, which was adopted.

Senator Kehoe offered Senate Resolution No. 1842, regarding the Ninetieth Birthday of Mary Ann Hoelscher, Wardsville, which was adopted.

### **MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 11, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

James Buford, Republican, 1 Kingsbury Place, Saint Louis, Saint Louis County, Missouri 63112, as a member of the Harris-Stowe State University Board of Regents, for a term ending July 28, 2018, and until his successor is duly appointed and qualified; vice, Arteveld J. McCoy II, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 11, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Karisha Devlin, Republican, Rural Route 1 Box 103, Edina, Knox County, Missouri 63537, as a member of the Missouri Agricultural and Small Business Development Authority, for a term ending June 30, 2015, and until her successor is duly appointed and qualified; vice, Rosanne M. Hays, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

April 11, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Ronald Norwood, Independent, 311 Magna Carta Drive, Creve Coeur, Saint Louis County, Missouri 63141, as a member of the Harris-Stowe State University Board of Regents, for a term ending July 28, 2018, and until his successor is duly appointed and qualified; vice, Wayman F. Smith, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Dempsey referred the above appointments to the Committee on Gubernatorial Appointments.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1144**, entitled:

An Act to amend chapter 215, RSMo, by adding thereto one new section relating to the prevailing wage on low-income housing.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1918**, entitled:

An Act to repeal section 442.571, RSMo, and to enact in lieu thereof one new section relating to foreign ownership of agricultural land, with an emergency clause.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1539**, entitled:

An Act to repeal sections 84.340, 563.031, 571.030, and 571.111, RSMo, and to enact in lieu thereof

six new sections relating to public safety, with existing penalty provisions and an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### REFERRALS

President Pro Tem Dempsey referred **HB 1495**, with **SCS**; **HCS** for **HB 1501**; **HJR 72**; **HCS** for **HJR 47**; **HCS** for **HB 1295**, with **SCS**; and **HB 2029** to the Committee on Governmental Accountability and Fiscal Oversight.

### SENATE BILLS FOR PERFECTION

At the request of Senator Sater, **SB 754** was placed on the Informal Calendar.

At the request of Senator Parson, **SB 617**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Wallingford, **SB 755** was placed on the Informal Calendar.

At the request of Senator Pearce, **SB 769**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Parson, **SB 830** was placed on the Informal Calendar.

At the request of Senator Wasson, **SB 841**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Justus, **SB 919** was placed on the Informal Calendar.

At the request of Senator Justus, **SB 787** and **SB 804**, with **SCS**, were placed on the Informal Calendar.  
**SB 795** was placed on the Informal Calendar.

At the request of Senator Schaefer, **SB 887** was placed on the Informal Calendar.

At the request of Senator Keaveny, **SB 538** was placed on the Informal Calendar.

At the request of Senator Schmitt, **SB 786** was placed on the Informal Calendar.

At the request of Senator Romine, **SB 638** and **SB 647**, with **SCS**, were placed on the Informal Calendar.

At the request of Senator Kraus, **SB 578** was placed on the Informal Calendar.

At the request of Senator Kraus, **SB 655** was placed on the Informal Calendar.

At the request of Senator Wallingford, **SB 659**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Brown, **SB 717** was placed on the Informal Calendar.

At the request of Senator Chappelle-Nadal, **SB 794** was placed on the Informal Calendar.

At the request of Senator Wasson, **SB 866** was placed on the Informal Calendar.

At the request of Senator Dixon, **SB 824**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Parson, **SB 724** was placed on the Informal Calendar.

At the request of Senator Sater, **SB 550**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Wallingford, **SB 819**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Munzlinger, **SB 836** and **SB 800**, with **SCS**, were placed on the Informal Calendar.

At the request of Senator Parson, **SB 842** was placed on the Informal Calendar.

At the request of Senator Cunningham, **SB 860** was placed on the Informal Calendar.

At the request of Senator Kehoe, **SB 891** was placed on the Informal Calendar.

At the request of Senator Schaefer, **SB 762**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Sater, **SB 875**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Sater, **SB 671** was placed on the Informal Calendar.

At the request of Senator Parson, **SB 634**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Romine, **SB 642**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator LeVota, **SB 848**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Sifton, **SB 566** was placed on the Informal Calendar.

**SB 922** was placed on the Informal Calendar.

Senator Lager moved that **SB 966** be taken up for perfection, which motion prevailed.

Senator Kehoe assumed the Chair.

Senator Lager offered **SS** for **SB 966**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 966

An Act to repeal sections 105.450, 105.470, 105.477, 105.483, 105.487, and 105.494, RSMo, section 105.473 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.473 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, section 105.485 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.485 as enacted by senate substitute for senate committee substitute for house bill no. 2058, ninety-fourth general assembly, second regular session, section 130.031 as enacted by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.031 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, section 130.041 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 130.041 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, and to enact in lieu thereof thirteen new sections relating to regulating the ethical behavior of professionals engaged in political activities.



Senator Lager moved that **SS** for **SB 966** be adopted.

Senator Holsman offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Substitute for Senate Bill No. 966, Page 57, Section 130.031, Line 25, by inserting immediately after said line, the following:

**“130.032. 1. In addition to the limitations imposed pursuant to section 130.031, the amount of contributions made by or accepted from any committee, or any person other than the candidate in any one election shall not exceed the following:**

**(1) To elect an individual to the office of governor, lieutenant governor, secretary of state, state treasurer, state auditor, or attorney general, ten thousand dollars;**

**(2) To elect an individual to the office of state senator, five thousand dollars;**

**(3) To elect an individual to the office of state representative, two thousand five hundred dollars.**

**2. For purposes of this subsection “base year amount” shall be the contribution limits prescribed in this section on January 1, 2015. Such limits shall be increased on the first day of January in each even-numbered year by multiplying the base year amount by the cumulative consumer price index, as defined in section 104.010 and rounded to the nearest twenty-five-dollar amount.**

**3. Contributions from persons under fourteen years of age shall be considered made by the parents or guardians of such person and shall be attributed toward any contribution limits prescribed in this chapter. Where the contributor under fourteen years of age has two custodial parents or guardians, fifty percent of the contribution shall be attributed to each parent or guardian, and where such contributor has one custodial parent or guardian, all such contributions shall be attributed to the custodial parent or guardian.**

**4. Contributions received and expenditures made prior to August 28, 2014, shall be reported as a separate account and pursuant to the laws in effect at the time such contributions are received or expenditures made. Contributions received and expenditures made after August 28, 2014, shall be reported as a separate account from the aforementioned account and pursuant to the provisions of this chapter. The account reported pursuant to the prior law shall be retained as a separate account and any remaining funds in such account may be used pursuant to this chapter and section 130.034.**

**5. Any committee which accepts or gives contributions other than those allowed shall be subject to a surcharge of one thousand dollars plus an amount equal to the contribution per nonallowable contribution, to be paid to the ethics commission and which shall be transferred to the director of revenue, upon notification of such nonallowable contribution by the ethics commission, and after the candidate has had ten business days after receipt of notice to return the contribution to the contributor. The candidate and the candidate committee treasurer or deputy treasurer owing a surcharge shall be personally liable for the payment of the surcharge or may pay such surcharge only from campaign funds existing on the date of the receipt of notice. Such surcharge shall constitute a debt to the state enforceable under, but not limited to, the provisions of chapter 143.”; and**

Further amend the title and enacting clause accordingly.

Senator Holsman moved that the above amendment be adopted.

Senator Lager raised the point of order that **SA 1** is out of order as it goes beyond the title and scope of the bill.

The point of order was referred to the President Pro Tem who took it under advisement, which placed **SB 966**, with **SS**, **SA 1** and the point of order (pending) on the Informal Calendar.

### MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

April 14, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Jennifer L. Schoonover as a member of the Child Abuse and Neglect Review Board, submitted to you on February 19, 2014. Line 3 should be amended to read:

ending April 7, 2017, and until her successor is duly appointed and qualified; vice,

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

### MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 29**, entitled:

#### HOUSE CONCURRENT RESOLUTION NO. 29

Relating to submission of a proposed federal balanced budget amendment to the United States Constitution.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, under Article V of the Constitution of the United States:

“The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which in either case shall be valid to all intents and purposes as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by Congress”; and

WHEREAS, the following Amendment to the United States Constitution is proposed:

“Section 1. The annual expenditures of the Congress shall not exceed the annual revenue for any year, save for the use of monetary reserves, except as provided for in Sections 2 and 3.

Section 2. The Congress shall not borrow from any source, including its own funds and trusts, for any expense, except for the extraordinary costs of a declared war or armed conflict, or for a fiscal emergency declared by Congress and signed by the President of the United States.

Section 3. The Congress may issue special bonds for specific capital projects, which shall, in turn, be extinguished within twenty years of issuance. The cumulative total of all bonds issued in this manner shall never exceed twenty percent of the total private sector earned income.

Section 4. This amendment shall take effect beginning the third fiscal year after its ratification.

Section 5. This resolution shall not be construed as an application for a constitutional convention to the United States Constitution pursuant to Article V thereof.”:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly,

Second Regular Session, the Senate concurring therein, hereby submit this resolution for a federal balanced budget Amendment to the United States Constitution and, pursuant to Article V of the United States Constitution, respectfully urge the United States Congress to submit the proposed Amendment to the United States Constitution to the States for ratification and inclusion in the United States Constitution; and

BE IT RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Majority and Minority Leaders of the United States Senate and House of Representatives, and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

## COMMUNICATIONS

Senator Romine submitted the following:

Ms. Terry Spieler  
201 W. Capitol Ave, Room 325  
Jefferson City MO 65101

April 14, 2014

Dear Ms. Spieler:

I respectfully request that HB 1791, a bill authorizing the Governor to convey specified state properties, be removed from the consent calendar under Senate Rule 45. If you have any questions, please call 751-4008 or email me at [gary.romine@senate.mo.gov](mailto:gary.romine@senate.mo.gov).

Sincerely,

/s/ Gary Romine

Senator Gary Romine

On motion of Senator Richard, the Senate adjourned under the rules.

## SENATE CALENDAR

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FIFTY-SECOND DAY—TUESDAY, APRIL 15, 2014

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## FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HB 1372-Cox, et al  
HCS for HB 1371  
HB 1594-Davis, et al  
HCS for HBs 1179 & 1765

HB 1490-Bahr, et al  
HB 1144-White, et al  
HCS for HB 1918  
HB 1539-Kelley (127), et al

## THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt (In  
Fiscal Oversight)

SS for SB 575-Dixon (In Fiscal  
Oversight)

SENATE BILLS FOR PERFECTION

- |                                       |                                   |
|---------------------------------------|-----------------------------------|
| 1. SB 852-Schmitt, with SCS           | 11. SB 888-Parson, with SCS       |
| 2. SB 704-Lager, with SCS             | 12. SB 964-Lager                  |
| 3. SB 758-Justus                      | 13. SB 770-Wallingford, with SCS  |
| 4. SB 873-Brown, with SCS             | 14. SB 884-Wallingford and Sater  |
| 5. SB 844-Dixon                       | 15. SB 958-Nieves                 |
| 6. SB 641-Emery                       | 16. SB 858-Kraus                  |
| 7. SB 869-Schmitt                     | 17. SB 669-Schaaf                 |
| 8. SB 494-Pearce                      | 18. SB 821-Schaefer               |
| 9. SB 912-Wasson and Justus, with SCS | 19. SB 823-Dixon, et al, with SCS |
| 10. SB 896-Wallingford, with SCS      | 20. SB 973-Brown                  |

HOUSE BILLS ON THIRD READING

- |  |   |
|--|---|
| 1. HB 1495-Torpey and Hicks, with SCS<br>(Dixon) (In Fiscal Oversight) | 6. HB 1361-Gosen and Wieland (Parson)                         |
| 2. HCS for HB 1501 (Schmitt) (In Fiscal<br>Oversight)                  | 7. HCS for HB 1079 (Parson)                                   |
| 3. HJR 72-Richardson, et al (In Fiscal<br>Oversight)                   | 8. HCS for HB 1295, with SCS (Kraus) (In<br>Fiscal Oversight) |
| 4. HCS for HB 1218 (Wasson)  | 9. HB 2029-Cierpiot (Nieves) (In Fiscal<br>Oversight)         |
| 5. HCS for HJR 47 (Kraus) (In Fiscal<br>Oversight)                     | 10. HCS for HRB 1298 (Lager)                                  |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- |  |  |
|--|--|
| SB 490-Lager and Kehoe, with SCS                         | SB 566-Sifton  |
| SB 501-Keaveny   | SB 573-Munzlinger, with SCS                              |
| SB 518-Sater, with SCS, SA 2 & SA 1 to<br>SA 2 (pending) | SB 578-Kraus   |
| SB 519-Sater, with SS & SA 1 (pending)                   | SB 589-Brown, with SCS, SA 2 & SA 1 to<br>SA 2 (pending) |
| SB 538-Keaveny and Holsman                               | SB 599-Kraus, with SCS & SA 2 (pending)                  |
| SS for SB 543-Munzlinger                                 | SB 617-Parson, with SCS                                  |
| SB 550-Sater, with SCS                                   | SB 634-Parson, with SCS                                  |
| SB 553-Emery, with SCS (pending)                         | SBs 638 & 647-Romine, with SCS                           |
| SB 555-Nasheed, with SS & SA 1 (pending)                 | SB 642-Romine, with SCS                                  |

SB 644-LeVota	SB 824-Dixon, with SCS
SB 655-Kraus	SB 830-Parson
SB 659-Wallingford, with SCS	SBs 836 & 800-Munzlinger, with SCS
SB 663-Munzlinger, with SCS	SB 841-Wasson, with SCS
SB 671-Sater	SB 842-Parson
SB 692-Wasson, with SA 1 (pending)	SB 846-Richard
SB 712-Walsh, with SCS & SS for SCS (pending)	SB 848-LeVota, with SCS
SB 717-Brown	SB 850-Munzlinger and Holsman, with SCS & SS for SCS (pending)
SB 724-Parson	SB 860-Cunningham
SB 739-Romine, with SCS, SS for SCS, SA 1 & SA 1 to SA 1 (pending)	SB 866-Wasson and Cunningham
SB 754-Sater and Justus	SB 875-Sater, with SCS
SB 755-Wallingford	SB 887-Schaefer
SB 762-Schaefer, with SCS	SB 891-Kehoe
SB 769-Pearce, with SCS	SB 919-Justus
SB 786-Schmitt	SB 966-Lager, with SS, SA 1 & point of order (pending)
SBs 787 & 804-Justus, with SCS	SB 992-Dempsey
SB 790-Dixon, with SA 3 & point of order (pending)	SJR 25-Lager, with SS, SA 2 & SA 1 to SA 2 (pending)
SB 794-Chappelle-Nadal	SJR 26-Lager, with SS & SA 1 (pending)
SB 795-Lager	SJR 34-Emery
SB 814-Brown	SJR 42-Schmitt, with SS (pending)
SB 819-Wallingford, with SCS	

### HOUSE BILLS ON THIRD READING

HB 1173-Burlison, et al, with SA 1, SA 1  
to SA 1 & point of order (pending) (Brown)

### CONSENT CALENDAR

#### House Bills

Reported 4/10

HB 1206-Wilson (Pearce)	HCS for HB 1376 (Keaveny)
HCS for HB 1389 (Pearce)	HCS for HB 1523 (Pearce)
HCS for HB 1426 (Schmitt)	HB 1633-Franklin, et al (Brown)
HCS for HB 1300 (Schaefer)	HB 1602-Engler and Black (Romine)

HB 1651-Fraker (Cunningham)

RESOLUTIONS

To be Referred

HCR 29-Scharnhorst

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# Journal of the Senate

## SECOND REGULAR SESSION

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**FIFTY-SECOND DAY—TUESDAY, APRIL 15, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Good and upright is the Lord; therefore he instructs sinners in the way. He leads the humble in what is right and teaches the humble his way.” (Psalm 25:8-9)

Holy Father, as we continue to walk through this holy week instruct us in the way You would have us go. Help us to learn the lesson of humility so we may live and work as people who know and do what is right so that others will want to follow our lead. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Walsh offered Senate Resolution No. 1843, regarding the Fortieth Birthday of Matt Gober, O’Fallon, which was adopted.

Senator Sater offered Senate Resolution No. 1844, regarding Rocio Rodriguez, which was adopted.

Senator LeVota offered Senate Resolution No. 1845, regarding the Honorable Emanuel Cleaver, which was adopted.

Senators Lamping and Brown offered Senate Resolution No. 1846, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Donald Springer, Hermann, which was adopted.

**SENATE BILLS FOR PERFECTION**

Senator Sater moved that **SB 754** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Sater offered **SS** for **SB 754**, entitled:

**SENATE SUBSTITUTE FOR  
SENATE BILL NO. 754**

An Act to repeal sections 208.798, 338.059, and 338.220, RSMo, and to enact in lieu thereof six new sections relating to pharmacy.

Senator Sater moved that **SS** for **SB 754** be adopted.

Senator Pearce assumed the Chair.

At the request of Senator Sater, **SB 754**, with **SS** (pending), was placed on the Informal Calendar.

Senator Dempsey moved that **SB 992** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Dempsey, **SB 992** was declared perfected and ordered printed.

Senator Parson moved that **SB 842** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Parson, **SB 842** was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 850**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SS** for **SCS** for **SB 850** was again taken up.

Senator Holsman offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 850, Page 11, Section 262.900, Lines 18-19, by striking said lines and inserting in lieu thereof the following: “**tax revenues received by a mobile unit associated with a vending UAZ selling agricultural products in the municipality in which the vending UAZ is located**, shall be”.



Senator Holsman moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Munzlinger moved that **SS** for **SCS** for **SB 850**, as amended, be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SS** for **SCS** for **SB 850**, as amended, was declared perfected and ordered printed.

Senator Schmitt moved that **SB 852**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 852**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 852

An Act to repeal sections 84.340 and 571.030, RSMo, and to enact in lieu thereof three new sections relating to corporate security advisors, with a penalty provision and an emergency clause.

Was taken up.

Senator Schmitt moved that **SCS** for **SB 852** be adopted, which motion prevailed.

On motion of Senator Schmitt, **SCS** for **SB 852** was declared perfected and ordered printed.

Senator Lager moved that **SB 704**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 704**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 704

An Act to repeal sections 327.312, 327.313, and 327.314, RSMo, and to enact in lieu thereof four new sections relating to land surveyors.

Was taken up.

Senator Lager moved that **SCS** for **SB 704** be adopted, which motion prevailed.

On motion of Senator Lager, **SCS** for **SB 704** was declared perfected and ordered printed.

**HOUSE BILLS ON THIRD READING**

Senator Brown moved that **HB 1173**, with **SA 1**, **SA 1** to **SA 1** and the point of order (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Brown, the point of order was withdrawn.

At the request of Senator Brown, **HB 1173**, with **SA 1** and **SA 1** to **SA 1** (pending), was placed on the Informal Calendar.

**SENATE BILLS FOR PERFECTION**

Senator Dixon moved that **SB 790**, with **SA 3** and the point of order (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Brown, **SA 3** was withdrawn, rendering the point of order moot.

At the request of Senator Dixon, **SB 790** was placed on the Informal Calendar.

Senator Lager moved that **SB 966**, with **SS**, **SA 1** and the point of order (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Lager, the point of order was withdrawn.

At the request of Senator Lager, **SS** for **SB 966** was withdrawn, rendering **SA 1** moot.

At the request of Senator Lager, **SB 966** was placed on the Informal Calendar.

### MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 9**.

#### HOUSE CONCURRENT RESOLUTION NO. 9

WHEREAS, in 1959, Senate Resolution No. 33 and House Resolution No. 19, recognizing the importance of the extraordinary manifestations of nature and recreational attributes of the Current and Eleven Point Riverways, requested Congress to enact legislation to preserve the natural resources and provide recreational development and other improvements for the public use; and

WHEREAS, in 1964, Congress answered Missouri's request by enacting legislation to establish the Ozark National Scenic Riverways; and

WHEREAS, the riverways within the Ozark National Scenic Riverways are, and remain, public highways of the State of Missouri, subject to concurrent jurisdiction between the State of Missouri and the United States under Missouri Senate Bill No. 362 enacted in 1971; and

WHEREAS, in 2005, the National Park Service began researching for the purpose of drafting a new general management plan for the Ozark National Scenic Riverways; and

WHEREAS, the general management plan for the Ozark National Scenic Riverways will ensure that the National Park Service managers and stakeholders share a clearly defined understanding of the resource conditions, opportunities for recreational use, and managerial methodology for access, and development designed to successfully achieve the national riverways' purpose; and

WHEREAS, in keeping with the National Parks and Recreation Act of 1978, the general management plan will serve as a guideline which will be relied upon as a basis for decisions affecting the riverways and for decisions which serve to preserve resources for the enjoyment of future generations; and

WHEREAS, every national park system unit has been asked to prepare this kind of document since 1976 when Congress passed a law to that effect. The general management plan will guide decisions related to the Ozark National Scenic Riverways for the next 15 to 20 years; and

WHEREAS, the Missouri Conservation Commission is charged with the control, management, restoration, conservation and regulation of the bird, fish, game, forestry and all wildlife resources of the state, including hatcheries, sanctuaries, refuges, reservations and all other property owned, acquired or used for such purposes; and

WHEREAS, in September of 2009, the Missouri Department of Conservation recommended that "hunting, fishing and trapping continue to be allowed throughout the ONSR except in highly developed areas where a reasonable safety zone for public protection may be required" and supported the "No-Action Alternative" released in 2009 by the National Park Service as an appropriate balance between preservation of resource conditions and opportunities for recreational use; and

WHEREAS, the recreational resources afforded by the riverways are an economic staple to the citizens of the surrounding communities with the State of Missouri; and

WHEREAS, the State of Missouri and a majority of the citizens of Missouri agree that the citizens of Missouri and those Missouri citizens most impacted in their daily lives are in the best position to formulate policy and regulations to manage and protect Missouri's natural resources as opposed to a federal agency headquartered in Washington, D.C.:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urge the National Park Service to draft its final General Management Plan to recognize the importance the riverways provides to the State of Missouri not only for the preservation of those extraordinary manifestations of nature, but also recreational use and enjoyment; and

BE IT FURTHER RESOLVED that the Missouri General Assembly finds that the previously announced “No Action Alternative” provides the best balance to maintain the riverways’ purposes; and

BE IT FURTHER RESOLVED that the Missouri General Assembly stand prepared to utilize its concurrent jurisdiction to assure this balance is properly maintained; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Jonathan B. Jarvis, Director of the National Park Service, and Bill Black, Superintendent of Ozark National Scenic Riverways.

In which the concurrence of the Senate is respectfully requested.

### **SENATE BILLS FOR PERFECTION**

Senator Justus moved that **SB 758** be taken up for perfection, which motion prevailed.

Senator Justus offered **SS** for **SB 758**, entitled:

#### **SENATE SUBSTITUTE FOR SENATE BILL NO. 758**

An Act to repeal section 105.711, RSMo, and to enact in lieu thereof one new section relating to health care professionals who are covered by the state legal expense fund.

Senator Justus moved that **SS** for **SB 758** be adopted.

Senator Romine assumed the Chair.

At the request of Senator Justus, **SB 758**, with **SS** (pending), was placed on the Informal Calendar.

Senator Brown moved that **SB 873**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 873**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 873**

An Act to repeal sections 210.117, 210.482, 210.487, and 211.038, RSMo, and to enact in lieu thereof four new sections relating to background checks for the purposes of child placement.

Was taken up.

Senator Brown moved that **SCS** for **SB 873** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **SB 873** was declared perfected and ordered printed.

Senator Dixon moved that **SB 844** be taken up for perfection, which motion prevailed.

On motion of Senator Dixon, **SB 844** was declared perfected and ordered printed.

### **HOUSE BILLS ON SECOND READING**

The following Bills were read the 2nd time and referred to the Committees indicated:

**HB 1372**—Judiciary and Civil and Criminal Jurisprudence.

**HCS** for **HB 1371**—Judiciary and Civil and Criminal Jurisprudence.

**HB 1594**—Small Business, Insurance and Industry.

**HCS** for **HBs 1179 & 1765**—Ways and Means.

**HB 1490**—Education.

## **SECOND READING OF CONCURRENT RESOLUTIONS**

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

**HCR 29**—Rules, Joint Rules, Resolutions and Ethics.

## **REFERRALS**

President Pro Tem Dempsey referred the addendum letter appearing on page 841 of the Senate Journal for Monday, April 14, 2014, to the Committee on Gubernatorial Appointments.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

## **RECESS**

The time of recess having expired, the Senate was called to order by Senator Kehoe.

## **SENATE BILLS FOR PERFECTION**

Senator Romine moved that **SB 638** and **SB 647**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SBs 638** and **647**, entitled:

### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 638 and 647**

An Act to repeal sections 135.630 and 135.647, RSMo, and to enact in lieu thereof two new sections relating to certain benevolent tax credits.

Was taken up.

Senator Romine moved that **SCS** for **SBs 638** and **647** be adopted.

Senator Nasheed offered **SA 1**:

### **SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for Senate Bills Nos. 638 and 647, Page 1, Section A, Line 3, by inserting after all of said line the following:

“135.600. 1. As used in this section, the following terms shall mean:

(1) “Contribution”, a donation of cash, stock, bonds or other marketable securities, or real property;

(2) “Maternity home”, a residential facility located in this state established for the purpose of providing housing and assistance to pregnant women who are carrying their pregnancies to term, and which is exempt from income taxation under the United States Internal Revenue Code;

(3) “State tax liability”, in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, chapter 147, chapter 148, and chapter 153, exclusive of the

provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265, and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143;

(4) "Taxpayer", a person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, including any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143.

2. A taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability, in an amount equal to fifty percent of the amount such taxpayer contributed to a maternity home.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a maternity home or homes in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director of the department of social services shall determine, at least annually, which facilities in this state may be classified as maternity homes. The director of the department of social services may require of a facility seeking to be classified as a maternity home whatever information is reasonably necessary to make such a determination. The director of the department of social services shall classify a facility as a maternity home if such facility meets the definition set forth in subsection 1 of this section.

6. The director of the department of social services shall establish a procedure by which a taxpayer can determine if a facility has been classified as a maternity home, and by which such taxpayer can then contribute to such maternity home and claim a tax credit. Maternity homes shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to maternity homes in any one fiscal year shall not exceed two million dollars **for all fiscal years ending on or before June 30, 2014, and two million five hundred thousand dollars for all fiscal years beginning on or after July 1, 2014.**

7. The director of the department of social services shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director of the department of social services, the cumulative amount of tax credits are equally apportioned among all facilities classified as maternity homes. If a maternity home fails to use all, or some percentage to be determined by the director of the department of social services, of its apportioned tax credits during this

predetermined period of time, the director of the department of social services may reapportion these unused tax credits to those maternity homes that have used all, or some percentage to be determined by the director of the department of social services, of their apportioned tax credits during this predetermined period of time. The director of the department of social services may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director of the department of social services shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. This section shall become effective January 1, 2000, and shall apply to all tax years after December 31, 1999. **No tax credits shall be issued under this section after June 30, 2020.**”; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 2**:

#### SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bills Nos. 638 and 647, Page 1, Section A, Line 3, by inserting after all of said line the following:

“135.460. 1. This section and sections 620.1100 and 620.1103 shall be known and may be cited as the “Youth Opportunities and Violence Prevention Act”.

2. As used in this section, the term “taxpayer” shall include corporations as defined in section 143.441 or 143.471, any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, and individuals, individual proprietorships and partnerships.

3. A taxpayer shall be allowed a tax credit against the tax otherwise due pursuant to chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, chapter 147, chapter 148, or chapter 153 in an amount equal to thirty percent for property contributions and fifty percent for monetary contributions of the amount such taxpayer contributed to the programs described in subsection 5 of this section, not to exceed two hundred thousand dollars per taxable year, per taxpayer; except as otherwise provided in subdivision (5) of subsection 5 of this section. The department of economic development shall prescribe the method for claiming the tax credits allowed in this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536. The provisions of this section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

4. The tax credits allowed by this section shall be claimed by the taxpayer to offset the taxes that become

due in the taxpayer's tax period in which the contribution was made. Any tax credit not used in such tax period may be carried over the next five succeeding tax periods.

5. The tax credit allowed by this section may only be claimed for monetary or property contributions to public or private programs authorized to participate pursuant to this section by the department of economic development and may be claimed for the development, establishment, implementation, operation, and expansion of the following activities and programs:

(1) An adopt-a-school program. Components of the adopt-a-school program shall include donations for school activities, seminars, and functions; school-business employment programs; and the donation of property and equipment of the corporation to the school;

(2) Expansion of programs to encourage school dropouts to reenter and complete high school or to complete a graduate equivalency degree program;

(3) Employment programs. Such programs shall initially, but not exclusively, target unemployed youth living in poverty and youth living in areas with a high incidence of crime;

(4) New or existing youth clubs or associations;

(5) Employment/internship/apprenticeship programs in business or trades for persons less than twenty years of age, in which case the tax credit claimed pursuant to this section shall be equal to one-half of the amount paid to the intern or apprentice in that tax year, except that such credit shall not exceed ten thousand dollars per person;

(6) Mentor and role model programs;

(7) Drug and alcohol abuse prevention training programs for youth;

(8) Donation of property or equipment of the taxpayer to schools, including schools which primarily educate children who have been expelled from other schools, or donation of the same to municipalities, or not-for-profit corporations or other not-for-profit organizations which offer programs dedicated to youth violence prevention as authorized by the department;

(9) Not-for-profit, private or public youth activity centers;

(10) Nonviolent conflict resolution and mediation programs;

(11) Youth outreach and counseling programs;

**(12) Programs providing food to elementary and secondary school age children to take home to supplement meals during non-school hours.**

6. Any program authorized in subsection 5 of this section shall, at least annually, submit a report to the department of economic development outlining the purpose and objectives of such program, the number of youth served, the specific activities provided pursuant to such program, the duration of such program and recorded youth attendance where applicable.

7. The department of economic development shall, at least annually submit a report to the Missouri general assembly listing the organizations participating, services offered and the number of youth served as the result of the implementation of this section.

8. The tax credit allowed by this section shall apply to all taxable years beginning after December 31, 1995.

9. For the purposes of the credits described in this section, in the case of a corporation described in section 143.471, partnership, limited liability company described in section 347.015, cooperative, marketing enterprise, or partnership, in computing Missouri's tax liability, such credits shall be allowed to the following:

- (1) The shareholders of the corporation described in section 143.471;
- (2) The partners of the partnership;
- (3) The members of the limited liability company; and
- (4) Individual members of the cooperative or marketing enterprise.

Such credits shall be apportioned to the entities described in subdivisions (1) and (2) of this subsection in proportion to their share of ownership on the last day of the taxpayer's tax period."'; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted.

Senator Schaefer offered **SA 1** to **SA 2**, which was read:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Committee Substitute for Senate Bills Nos. 638 and 647, Page 4, Line 5, by inserting at the end of said the line following: "**No more than five hundred thousand dollars in tax credits per fiscal year shall be issued under the provisions of this subdivision. This amount shall not apply to any other limit on the issuance of tax credits under this section.**".

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

**SA 2**, as amended, was again taken up.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Romine moved that **SCS** for **SBs 638** and **647**, as amended, be adopted, which motion prevailed.

On motion of Senator Romine, **SCS** for **SBs 638** and **647**, as amended, was declared perfected and ordered printed.

Senator Brown moved that **SB 717** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Brown, **SB 717** was declared perfected and ordered printed.

Senator Justus moved that **SB 758**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SS** for **SB 758** was again taken up.

Senator Justus offered **SA 1**:



SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 758, Page 4, Section 105.711, Line 8, by inserting after “subdivision” the following: “**and rural health clinics under 42 U.S.C. 1396d(1) (1)**”.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Justus moved that **SS** for **SB 758**, as amended, be adopted, which motion prevailed.

On motion of Senator Justus, **SS** for **SB 758**, as amended, was declared perfected and ordered printed.

Senator Kraus moved that **SB 655** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Libla offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 655, Page 1, In the Title, Line 3, by striking the following: “who may lawfully occupy”; and

Further amend said bill, page 4, section 441.770, line 19, by inserting after all of said line the following:

“569.130. 1. A person does not commit an offense by damaging, tampering with, operating, riding in or upon, or making connection with property of another if he **or she** does so under a claim of right and has reasonable grounds to believe he **or she** has such a right.

2. The defendant shall have the burden of injecting the issue of claim of right.

**3. No person who, as a tenant, willfully or wantonly destroys, defaces, damages, impairs, or removes any part of a leased structure or dwelling unit, or the facilities, equipment, or appurtenances thereof, may inject the issue of claim of right.”; and**

Further amend the title and enacting clause accordingly.

Senator Libla moved that the above amendment be adopted, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

Senator Schmitt offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 655, Page 3, Section 441.500, Line 48, by inserting after all of said line the following:

“441.760. **1.** If the plaintiff has met its burden of proof for a complete eviction but the tenant successfully pleads an affirmative defense to the eviction pursuant to section 441.750, then the court shall not terminate the tenancy but shall order the immediate removal of any person who the court finds conducted the drug-related activity which was the subject of the eviction proceeding.

**2. If the plaintiff presents evidence that a person is not lawfully occupying a dwelling unit as either a tenant or a lessee, the court shall order the immediate removal of such person unlawfully occupying the dwelling unit.”; and**

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Kraus, **SB 655**, as amended, was declared perfected and ordered printed.

Senator Cunningham moved that **SB 860** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Cunningham offered **SS** for **SB 860**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 860

An Act to repeal section 144.044, RSMo, and to enact in lieu thereof one new section relating to the sales of used manufactured homes.

Senator Cunningham moved that **SS** for **SB 860** be adopted, which motion prevailed.

On motion of Senator Cunningham, **SS** for **SB 860** was declared perfected and ordered printed.

Senator Wasson moved that **SB 841**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 841**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 841

An Act to repeal sections 407.925, 407.926, 407.927, 407.929, 407.931, 407.933, and 407.934, RSMo, and to enact in lieu thereof seven new sections relating to alternative nicotine or vapor products, with penalty provisions.

Was taken up.

Senator Wasson moved that **SCS** for **SB 841** be adopted.

Senator Wasson offered **SS** for **SCS** for **SB 841**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 841

An Act to repeal sections 407.925, 407.926, 407.927, 407.929, 407.931, 407.933, and 407.934, RSMo, and to enact in lieu thereof seven new sections relating to alternative nicotine or vapor products, with penalty provisions.

Senator Wasson moved that **SS** for **SCS** for **SB 841** be adopted.

At the request of Senator Wasson, **SB 841**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

Senator Schmitt moved that **SB 786** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Schmitt, **SB 786** was declared perfected and ordered printed.

Senator Kehoe moved that **SB 891** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Kehoe, **SB 891** was declared perfected and ordered printed.

Senator Dixon moved that **SB 824**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 824**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 824

An Act to repeal sections 1.020, 56.010, 56.060, 56.067, 56.265, 56.363, 56.430, 56.805, 56.807, 56.816, and 211.411, RSMo, and to enact in lieu thereof thirteen new sections relating to prosecuting attorneys.

Was taken up.

Senator Dixon moved that **SCS** for **SB 824** be adopted, which motion prevailed.

On motion of Senator Dixon, **SCS** for **SB 824** was declared perfected and ordered printed.

Senator Kraus moved that **SB 599**, with **SCS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Holsman, **SA 2** was withdrawn.

Senator Kraus offered **SS** for **SCS** for **SB 599**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 599

An Act to amend chapter 43, RSMo, by adding thereto one new section relating to automated license plate reader systems, with penalty provisions.

Senator Kraus moved that **SS** for **SCS** for **SB 599** be adopted, which motion prevailed.

On motion of Senator Kraus, **SS** for **SCS** for **SB 599** was declared perfected and ordered printed.

Senator Keaveny moved that **SB 538** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

At the request of Senator Keaveny, **SB 538** was placed on the Informal Calendar.

Senator Romine moved that **SB 642**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 642**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 642

An Act to repeal sections 444.772 and 444.773, RSMo, and to enact in lieu thereof two new sections

relating to surface mining.

Was taken up.

Senator Romine moved that **SCS** for **SB 642** be adopted.

Senator Romine offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 642, Page 4, Section 444.772, Lines 107-108, by striking said lines and inserting in lieu thereof the following: “proposed mine plan area] **whose property is:**

**(1) Within two thousand six hundred forty feet, or one-half mile from the border of the proposed mine plan area; and**

**(2) Adjacent to the proposed mine plan area, land upon which the mine plan area is located, or adjacent land having a legal relationship with either the applicant or the owner of the land upon which the mine plan area is located.**

The notice shall include”.

Senator Romine moved that the above amendment be adopted, which motion prevailed.

Senator Romine moved that **SCS** for **SB 642**, as amended, be adopted, which motion prevailed.

On motion of Senator Romine, **SCS** for **SB 642**, as amended, was declared perfected and ordered printed.

Senator Emery moved that **SB 641** be taken up for perfection, which motion prevailed.

At the request of Senator Emery, **SB 641** was placed on the Informal Calendar.

Senator Schmitt moved that **SB 869** be taken up for perfection, which motion prevailed.

Senator Schmitt offered **SS** for **SB 869**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 869

An Act to repeal sections 453.073 and 453.074, RSMo, and to enact in lieu thereof two new sections relating to adoption subsidies.

Senator Schmitt moved that **SS** for **SB 869** be adopted, which motion prevailed.

On motion of Senator Schmitt, **SS** for **SB 869** was declared perfected and ordered printed.

Senator Pearce moved that **SB 494** be taken up for perfection, which motion prevailed.

Senator Pearce offered **SS** for **SB 494**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 494

An Act to repeal sections 160.254 and 173.250, RSMo, and to enact in lieu thereof two new sections

relating to higher education.

Senator Pearce moved that **SS** for **SB 494** be adopted.

At the request of Senator Pearce, **SB 494**, with **SS** (pending), was placed on the Informal Calendar.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **HB 1633**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **HCS** for **HB 1300**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **HCS** for **HB 1389**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **HB 1206**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 704**; **SB 842**; **SB 844**; **SS** for **SCS** for **SB 850**; **SCS** for **SB 852**; **SCS** for **SB 873**; and **SB 992**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### **REFERRALS**

President Pro Tem Dempsey referred **SB 844** and **SS** for **SCS** for **SB 850** to the Committee on Governmental Accountability and Fiscal Oversight.

### **REPORTS OF STANDING COMMITTEES**

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1270**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1968**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 1245**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HCS for HB 1510**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HB 1656**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HB 1724**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HB 1301**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HCS for HB 1217**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HB 1835**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HB 1184**,

begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HB 1064**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HB 1081**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS for HB 1090**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HB 1791**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

### **RESOLUTIONS**

Senator Nasheed offered Senate Resolution No. 1847, regarding Martin Luther Mathews, which was adopted.

Senator Parson offered Senate Resolution No. 1848, regarding Brianna Becker, Bolivar, which was adopted.

Senator Pearce offered Senate Resolution No. 1849, regarding the Fiftieth Anniversary of the Lutheran Good Shepherd Home, Concordia, which was adopted.

Senator Romine offered Senate Resolution No. 1850, regarding Carolyn A. Meade, which was adopted.

Senator Romine offered Senate Resolution No. 1851, regarding Linda Roth, which was adopted.

Senator Romine offered Senate Resolution No. 1852, regarding Gary Bierman, which was adopted.

Senator Romine offered Senate Resolution No. 1853, regarding Janet Braun, which was adopted.

Senator Holsman offered Senate Resolution No. 1854, regarding the Sixtieth Anniversary of Jasper's Restaurant, Kansas City, which was adopted.

Senator Pearce offered Senate Resolution No. 1855, regarding Dr. James B. Staab, which was adopted.

Senator Schmitt offered Senate Resolution No. 1856, regarding Long Elementary School, Lindbergh School District, which was adopted.

Senator Schmitt offered Senate Resolution No. 1857, regarding North Glendale Elementary School, Kirkwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 1858, regarding Concord Elementary School, Lindbergh School District, which was adopted.

Senator Schmitt offered Senate Resolution No. 1859, regarding Alexander Timothy Hammon, St. Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 1860, regarding Joseph Frisella, Saint Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 1861, regarding Herbert Frederick Mahler, Fenton, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Parson introduced to the Senate, Debra Simaitis and representatives of Missouri Organ Donor Program.

Senator Chappelle-Nadal introduced to the Senate, representatives of Express Scripts, Inc., St. Louis.

Senator Parson introduced to the Senate, Director Richard Kaszak and six students from Agape Boarding School, Stockton.

Senator Kehoe introduced to the Senate, parents, teachers Shelle Sandbothe and Becky Wingrath; Alexa Lamb, Jacie Buschjost and thirty-five fourth grade students from St. Stanislaus School, Wardsville.

Senator Nasheed introduced to the Senate, Martin Luther Mathews, St. Louis.

On behalf of Senator Pearce, the President introduced to the Senate, Mayor Mike Wright, Ron Brohammer, Marilyn Odell, Rebecca Hoeflicker, Natalie Lamar, Becky Treccariche, Jim Carter, Linda Emley, Nathan Preston, Christal Milligan, Vickie McGinnis, Chastidy Loftin, Brad Hogan, Bill Purcell and Peggy McGaugh, representatives of Richmond Chamber Day.

Senator Romine introduced to the Senate, students from St. Paul Lutheran School, Farmington.

On behalf of Senator Pearce, the President introduced to the Senate, leaders Amanda Reid and Bill Angel, and members Colton Howard, Lori Jeffery, Alyssa Richardson, Michaela Schmoeger, Ethan Weber, Kailey Bales, Rachael Rodenberg and Martha Cowherd, Lafayette County FFA.

Senator Dixon introduced to the Senate, teacher Marilyn Broaddus and twenty-five fourth grade students from Greenwood Laboratory School, Springfield.

Senator Munzlinger introduced to the Senate, teacher Robin Gebhardt and thirty-six fourth grade students from Salisbury Elementary School.

Senator Chappelle-Nadal introduced to the Senate, Laura Eikerenkoetter-Barnes, St. Louis County.

Senator Lamping introduced to the Senate, students from St. Monica School, Creve Coeur.

Senator Pearce introduced to the Senate, David and Margaret Kesinger, Warrensburg.

Senator Keaveny introduced to the Senate, his son, Joseph M. Keaveny and Larry Davis, Springfield.

On motion of Senator Richard, the Senate adjourned under the rules.



SENATE CALENDAR

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FIFTY-THIRD DAY—WEDNESDAY, APRIL 16, 2014

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1144-White, et al  
HCS for HB 1918

HB 1539-Kelley (127), et al

THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt (In  
Fiscal Oversight)  
SS for SB 575-Dixon (In Fiscal  
Oversight)  
SCS for SB 704-Lager  
SB 842-Parson

SB 844-Dixon (In Fiscal Oversight)  
SS for SCS for SB 850-Munzlinger (In  
Fiscal Oversight)  
SCS for SB 852-Schmitt  
SCS for SB 873-Brown  
SB 992-Dempsey

SENATE BILLS FOR PERFECTION

1. SB 912-Wasson and Justus, with SCS
2. SB 896-Wallingford, with SCS
3. SB 888-Parson, with SCS
4. SB 964-Lager
5. SB 770-Wallingford, with SCS
6. SB 884-Wallingford and Sater

7. SB 958-Nieves
8. SB 858-Kraus
9. SB 669-Schaaf
10. SB 821-Schaefer
11. SB 823-Dixon, et al, with SCS
12. SB 973-Brown

HOUSE BILLS ON THIRD READING

1. HB 1495-Torpey and Hicks, with SCS  
(Dixon) (In Fiscal Oversight)
2. HCS for HB 1501 (Schmitt) (In Fiscal  
Oversight)

3. HJR 72-Richardson, et al (Silvey) (In  
Fiscal Oversight)
4. HCS for HB 1218 (Wasson)
5. HCS for HJR 47 (Kraus) (In Fiscal Oversight)

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|--|--|
| 6. HB 1361-Gosen and Wieland (Parson)                      | 9. HB 2029-Cierpiot (Nieves) (In Fiscal Oversight) |
| 7. HCS for HB 1079 (Parson)                                |  |
| 8. HCS for HB 1295, with SCS (Kraus) (In Fiscal Oversight) | 10. HCS for HRB 1298 (Lager)                       |

## INFORMAL CALENDAR

### SENATE BILLS FOR PERFECTION

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|--|--|
| SB 490-Lager and Kehoe, with SCS                                   | SB 754-Sater and Justus, with SS (pending)           |
| SB 494-Pearce, with SS (pending)                                   | SB 755-Wallingford                                   |
| SB 501-Keaveny   | SB 762-Schaefer, with SCS                            |
| SB 518-Sater, with SCS, SA 2 & SA 1 to SA 2 (pending)              | SB 769-Pearce, with SCS                              |
| SB 519-Sater, with SS & SA 1 (pending)                             | SBs 787 & 804-Justus, with SCS                       |
| SB 538-Keaveny and Holsman   | SB 790-Dixon   |
| SS for SB 543-Munzlinger   | SB 794-Chappelle-Nadal                               |
| SB 550-Sater, with SCS   | SB 795-Lager   |
| SB 553-Emery, with SCS (pending)                                   | SB 814-Brown   |
| SB 555-Nasheed, with SS & SA 1 (pending)                           | SB 819-Wallingford, with SCS                         |
| SB 566-Sifton  | SB 830-Parson  |
| SB 573-Munzlinger, with SCS  | SBs 836 & 800-Munzlinger, with SCS                   |
| SB 578-Kraus   | SB 841-Wasson, with SCS & SS for SCS (pending)       |
| SB 589-Brown, with SCS, SA 2 & SA 1 to SA 2 (pending)              | SB 846-Richard                                       |
| SB 617-Parson, with SCS  | SB 848-LeVota, with SCS                              |
| SB 634-Parson, with SCS  | SB 866-Wasson and Cunningham                         |
| SB 641-Emery   | SB 875-Sater, with SCS                               |
| SB 644-LeVota  | SB 887-Schaefer                                      |
| SB 659-Wallingford, with SCS                                       | SB 919-Justus  |
| SB 663-Munzlinger, with SCS  | SB 966-Lager   |
| SB 671-Sater   | SJR 25-Lager, with SS, SA 2 & SA 1 to SA 2 (pending) |
| SB 692-Wasson, with SA 1 (pending)                                 | SJR 26-Lager, with SS & SA 1 (pending)               |
| SB 712-Walsh, with SCS & SS for SCS (pending)                      | SJR 34-Emery   |
| SB 724-Parson  | SJR 42-Schmitt, with SS (pending)                    |
| SB 739-Romine, with SCS, SS for SCS, SA 1 & SA 1 to SA 1 (pending) |  |

HOUSE BILLS ON THIRD READING

HB 1173-Burlison, et al, with SA 1 & SA 1  
to SA 1 (pending) (Brown)

CONSENT CALENDAR

House Bills

Reported 4/10

HCS for HB 1426 (Schmitt)  
HCS for HB 1376 (Keaveny)  
HCS for HB 1523 (Pearce)

HB 1602-Engler and Black (Romine)  
HB 1651-Fraker (Cunningham)

Reported 4/15

HB 1270-Lant, et al, with SCS  
HB 1968-Gosen, with SCS  
HB 1245-Hampton, et al  
HCS for HB 1510  
HB 1656-Neely and Hurst  
HB 1724-Davis and Lynch  
HB 1301-Neth  
HCS for HB 1217, with SCS

HB 1835-Haar, et al  
HB 1184-Grisamore  
HB 1064-Grisamore  
HB 1081-McCaherty, et al  
HCS for HB 1090  
HB 1791-Fitzwater, et al, with SCS  
(Romine)

RESOLUTIONS

To be Referred

HCR 9-Cookson, et al

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# Journal of the Senate

## SECOND REGULAR SESSION

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**FIFTY-THIRD DAY—WEDNESDAY, APRIL 16, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“For (God) is good, for his steadfast love endures forever.” (2 Chronicles 7:3b)

Loving Lord, You keep right on blessing us when we don’t deserve it; so we give You thanks for loving us and keeping us in Your care. Please strengthen us for the work we have to do and help us to be loving to those who work on our behalf. Help us remember always to be grateful for Your grace, mercy, love and presence and all we owe You that sustains us each day. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Curls offered Senate Resolution No. 1862, regarding Debbi O’Donohue and the Thirtieth Anniversary of the Awards & T-shirts Specialists, Incorporated, which was adopted.

**REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **HB 1651**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

**SENATE BILLS FOR PERFECTION**

Senator Sater moved that **SB 754**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SS** for **SB 754** was again taken up.

At the request of Senator Sater, **SS** for **SB 754** was withdrawn.

Senator Sater offered **SS No. 2** for **SB 754**, entitled:

**SENATE SUBSTITUTE NO. 2 FOR  
SENATE BILL NO. 754**

An Act to repeal sections 208.798, 338.059, and 338.220, RSMo, and to enact in lieu thereof five new sections relating to pharmacy.

Senator Sater moved that **SS No. 2** for **SB 754** be adopted.

Senator Pearce assumed the Chair.

Senator Lager assumed the Chair.

Senator Schaaf offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Substitute No. 2 for Senate Bill No. 754, Page 4, Section 196.990, Line 8 of said page, by striking “possesses and makes” and inserting in lieu thereof the following: “**either does or does not possess and make**”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Sater moved that **SS No. 2** for **SB 754**, as amended, be adopted, which motion prevailed.

On motion of Senator Sater, **SS No. 2** for **SB 754**, as amended, was declared perfected and ordered printed.

Senator Wasson moved that **SB 841**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SS** for **SCS** for **SB 841** was again taken up.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 841, Page 3, Section 407.925, Lines 19-22, by striking all of said lines and inserting in lieu thereof the following: “**include any alternative nicotine product or tobacco product;**”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Keaveny offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 841, Page 4, Section 407.926, Lines 9-12 of said page, by striking all of said lines.

Senator Keaveny moved that the above amendment be adopted.

Senator Kraus assumed the Chair.

Senator Lager assumed the Chair.

At the request of Senator Keaveny, **SA 2** was withdrawn.

Senator Schaaf offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 841, Page 4, Section 407.925, Lines 11-12, by striking “, but shall not be otherwise taxed or regulated as tobacco products”.

Senator Schaaf moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Wasson moved that **SS** for **SCS** for **SB 841**, as amended, be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **SCS** for **SB 841**, as amended, was declared perfected and ordered printed.

Senator Chappelle-Nadal moved that **SB 794** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Chappelle-Nadal, **SB 794** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 599**; **SCS** for **SBs 638** and **647**; **SCS** for **SB 642**; **SB 655**; **SB 717**; **SS** for **SB 758**; **SB 786**; **SCS** for **SB 824**; **SS** for **SB 860**; **SS** for **SB 869**; and **SB 891**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

**REFERRALS**

President Pro Tem Dempsey referred **SCS** for **SBs 638** and **647** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey referred **HCR 9** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

**SENATE BILLS FOR PERFECTION**

Senator Wasson moved that **SB 912**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 912**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 912**

An Act to repeal sections 348.250, 348.253, 348.257, 348.265, 348.269, section 348.251 as enacted by senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, section 348.251 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill nos 1248 & 1048, eighty-seventh general assembly, second regular session, section 348.256 as enacted by senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, section 348.256 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 414, eighty-eighth general assembly, first regular session, section 348.261 as enacted by senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, section 348.261 as enacted by senate committee substitute for house committee substitute for house bill no. 574, eighty-eighth general assembly, first regular session, section 348.262 as enacted by senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, section 348.262 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill nos 1248 & 1048, eighty-seventh general assembly, second regular session, section 348.263 as enacted by senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, section 348.263 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill nos 1248 & 1048, eighty-seventh general assembly, second regular session, section 348.264 as enacted by senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, section 348.264 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 414, eighty-eighth general assembly, first regular session, section 348.271 as enacted by senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, section 348.300 as enacted by senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, and section 348.300 as enacted by senate committee substitute for house committee substitute for house bill no. 1, ninety-fourth general assembly, first extraordinary session, RSMo, and to enact in lieu thereof ten new sections relating to the Missouri technology corporation.

Was taken up.

Senator Wasson moved that **SCS** for **SB 912** be adopted.

At the request of Senator Wasson, **SB 912**, with **SCS** (pending), was placed on the Informal Calendar.

Senator Parson moved that **SB 617**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 617**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 617

An Act to repeal sections 379.200 and 537.065, RSMo, and to enact in lieu thereof five new sections relating to the regulation of insurance.

Was taken up.

Senator Parson moved that **SCS** for **SB 617** be adopted.

Senator Parson offered **SS** for **SCS** for **SB 617**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 617

An Act to amend chapter 375, RSMo, by adding thereto two new sections relating to the reservation of rights.

Senator Parson moved that **SS** for **SCS** for **SB 617** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 617, Page 3, Section 375.417, Line 25, by inserting after all of said line the following:

**“9. The provisions of this section shall apply to business entities regulated under chapter 383.”;**  
and

Further amend said bill and page, section 375.418, line 26 by inserting after “375.418.” the following: **“1.”**; and further amend said bill and section page 4, line 15 by inserting after all of said line the following:

**“2. The provisions of this section shall apply to business entities regulated under chapter 383.”.**

Senator Schaaf moved that the above amendment be adopted.

At the request of Senator Parson, **SB 617**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

**REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred



**SB 794** and **SS No. 2** for **SB 754**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Dixon.

### **SENATE BILLS FOR PERFECTION**

Senator Parson moved that **SB 617**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 1** was again taken up.

At the request of Senator Parson, **SB 617**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

Senator Parson moved that **SB 830** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

At the request of Senator Parson, **SB 830** was placed on the Informal Calendar.

### **MESSAGES FROM THE HOUSE**

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS No. 3** for **SCS** for **SBs 509** and **496**.

Bill ordered enrolled.

### **SENATE BILLS FOR PERFECTION**

Senator Wallingford moved that **SB 896**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 896**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 896**

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to transient guest taxes in certain counties.

Was taken up.

Senator Wallingford moved that **SCS** for **SB 896** be adopted.

Senator Libla offered **SA 1**:

#### **SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for Senate Bill No. 896, Page 1, In the Title, Lines 2-3, by striking the following: "transient guest taxes in" and inserting in lieu thereof the following: "taxes imposed by"; and

Further amend said bill and page, section A, line 2, by inserting after all of said line the following:

**“67.587. 1. The governing body of any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the fourth classification with more than three thousand but fewer than three thousand seven hundred inhabitants as the county seat may impose, by order or ordinance, a sales tax on all retail sales made within the county which are subject to sales tax under chapter 144. The tax authorized in this section shall be equal to one-half of one percent, and shall be imposed solely for the purpose of improving transportation infrastructure in such county. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance shall not become effective unless the governing body of the county submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the governing body of the county to impose a tax under this section.**

**2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:**

**Shall ..... (insert the name of the political subdivision) impose a sales tax at a rate of ..... (insert rate of percent) percent, solely for the purpose of funding improvements to transportation infrastructure?**

☐ YES

☐ NO

**If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.**

**If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter immediately following notification to the department of revenue. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.**

**3. All revenue collected under this section by the director of the department of revenue on behalf of any county, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the trust fund and credited to the county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.**

**4. On or after the effective date of the tax, the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 and 32.087 shall apply. In order to permit sellers required to collect and report the sales tax to collect the amount**

required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the county may authorize the use of a bracket system similar to that authorized in section 144.285, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the county shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions in sections 144.010 to 144.525, governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057 and sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525.

6. The governing body of any county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the county and shall submit such question at least every four years. The ballot of submission shall be in substantially the following form:

Shall ..... (insert the name of the political subdivision) repeal the sales tax imposed at a rate of ..... (insert rate of percent) percent for the purpose of funding improvements to transportation infrastructure?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved.

If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

**7. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county shall notify the director of the department of revenue of the action at least thirty days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director shall remit the balance in the account to the county and close the account of that county. The director shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.”; and**

Further amend the title and enacting clause accordingly.

Senator Libla moved that the above amendment be adopted.

At the request of Senator Wallingford, **SB 896**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

President Pro Tem Dempsey assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS No. 3** for **SCS** for **SBs 509** and **496**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 841**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

### **SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **SS No. 3** for **SCS** for **SBs 509** and **496**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

### **SENATE BILLS FOR PERFECTION**

Senator Wallingford moved that **SB 896**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 1** was again taken up.

Senator Libla moved that the above amendment be adopted, which motion prevailed.

Senator Silvey offered **SA 2**:

**SENATE AMENDMENT NO. 2**

Amend Senate Committee Substitute for Senate Bill No. 896, Page 2, Section 67.1367, Line 28, by inserting after all of said line the following:

**“94.841. 1. The governing body of any special charter city with more than twenty-nine thousand but fewer than thirty-two thousand inhabitants may impose, by order or ordinance, a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels, and bed and breakfast inns situated in the city or a portion thereof. The tax shall be not more than six percent per occupied room per night, and shall be imposed solely for the purpose of promoting tourism, cultural activities, business, and economic development, and for constructing related infrastructure and improvements. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and shall be stated separately from all other charges and taxes.**

**2. (1) No such order or ordinance shall become effective unless the governing body of the city submits to the voters of the city at a state general, primary, or special election a proposal to authorize the governing body of the city to impose a tax under this section. The ballot language shall be in substantially the following form:**

**“Shall the City of ..... (insert city name) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels, and bed and breakfast inns in the city at a rate not to exceed six percent per occupied room per night for the sole purpose of promoting tourism, cultural activities, business, and economic development, and for constructing related infrastructure and improvements?”.**

**(2) If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the city and such question is approved by a majority of the qualified voters voting on the question.**

**3. The governing body of any city that has adopted the tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city, and the repeal is approved by a majority of the qualified voters voting on the question.**

**4. Whenever the governing body of any city that has adopted the tax authorized in this section receives a petition, signed by a number of registered voters of the city equal to at least ten percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an**

election to repeal the tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters of the city and the repeal is approved by a majority of the qualified voters voting on the question.

5. As used in this section, “transient guests” means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

6. Notwithstanding any other provision of law to the contrary, the tax authorized in this section shall not be imposed by the following cities or counties:

(1) Any city or county already imposing a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in any such city or county under any other law of this state; or

(2) Any city not already imposing a tax under this section and that is located in whole or partially within a county that already imposes a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in such county under any other law of this state.”; and

Further amend the title and enacting clause accordingly.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

Senator Wallingford moved that **SCS for SB 896**, as amended, be adopted, which motion prevailed.

On motion of Senator Wallingford, **SCS for SB 896**, as amended, was declared perfected and ordered printed.

At the request of Senator Parson, **SB 888**, with **SCS**, was placed on the Informal Calendar.

Senator Lager moved that **SB 964** be taken up for perfection, which motion prevailed.

Senator Kehoe assumed the Chair.

At the request of Senator Lager, **SB 964** was placed on the Informal Calendar.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 1614**, entitled:

An Act to repeal section 161.825, RSMo, and to enact in lieu thereof one new section relating to Bryce’s Law.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1454**, entitled:

An Act to repeal section 67.5098 as enacted by senate substitute for senate committee substitute for senate bill no. 650, ninety seventh general assembly, second regular session, and to enact in lieu thereof one new section relating to communications infrastructure deployment.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1251**, entitled:

An Act to repeal sections 50.660 and 50.783, RSMo, and to enact in lieu thereof two new sections relating to competitive bid requirements.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1591**, entitled:

An Act to repeal sections 563.031 and 571.111, RSMo, and to enact in lieu thereof two new sections relating to public safety, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **BILLS DELIVERED TO THE GOVERNOR**

**SS No. 3** for **SCS** for **SBs 509** and **496**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

### **REPORTS OF STANDING COMMITTEES**

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SB 575**; **HCS** for **HJR 47**; **HB 1495**, with **SCS**; **HCS** for **HB 1295**, with **SCS**; **HJR 72**; and **HB 2029** begs leave to report that it has considered the same and recommends that the bills do pass.

### **REFERRALS**

President Pro Tem Dempsey referred **SS No. 2** for **SB 754** to the Committee on Governmental Accountability and Fiscal Oversight.

## **COMMUNICATIONS**

Senator Cunningham submitted the following:

April 16, 2014

Ms. Terry Spieler  
Secretary of the Senate  
Room 325, State Capitol  
Jefferson City, MO 65101

Dear Secretary Spieler:

I respectfully request that SCS HB 1270 be removed from the Consent Calendar under Rule 45.

Thank you.

Sincerely,  
/s/ Mike Cunningham  
Mike Cunningham  
State Senator, District 33

## **RESOLUTIONS**

Senator Lager offered Senate Resolution No. 1863, regarding the Twentieth Anniversary of the Missouri Arboretum at Northwest Missouri State University, Maryville, which was adopted.

Senator Kehoe offered Senate Resolution No. 1864, regarding Randy L. Cole, which was adopted.

Senator Schaefer offered Senate Resolution No. 1865, regarding the 2013-2014 University of Missouri wrestling program, which was adopted.

Senator Romine offered Senate Resolution No. 1866, regarding Susan C. Dennis, which was adopted.

Senator Romine offered Senate Resolution No. 1867, regarding Janet Nance, which was adopted.

## **INTRODUCTIONS OF GUESTS**

Senator Holsman introduced to the Senate, Dr. Laurie Smith and Dr. Fred Heffron, Kansas City.

Senator Holsman introduced to the Senate, the South Kansas City Leadership Class.

Senator Munzlinger introduced to the Senate, Sydney Luttrull, Lewistown.

Senator Nasheed introduced to the Senate, Col. Lisa Ann Taylor, Lt. Miller, Sgt. Dobynes, Sgt. Glenn, Dr. Roach, Paula Knight, Ms. Dee, Sgt. Williams and Whitfield Montgomery, St. Louis.

Senator Schaaf introduced to the Senate, Todd and Bridgitte Lindstrom, and their children, Aidan, Weston and Briley, St. Joseph; and Aidan, Weston and Briley were made honorary pages.

On behalf of Senators Richard, Kehoe, Brown, Silvey and himself, Senator Dixon introduced to the Senate, Nii Kpakpo Ekow Abrahams, Kris Keilty, Jared Horman and Walter Orr.

Senator Lager introduced to the Senate, educational leaders of Northwest Missouri.

Senator Richard introduced to the Senate, First Sgt. (Ret.) Richard Banks, Thomas Scheuerman, Stephen Lizotte, Tristan Murphy, Brice Porter, Carter Lybarger, Ryan Beall and Dallas Doucette, members of Joplin ROTC.



Senator Keaveny introduced to the Senate, his daughter and son-in-law, Shannon and Michael Hartwig.

Senator Brown introduced to the Senate, Jim Maddox, Rolla; Ed Carmack, Salem; Bill Cooper, St. James; Dave Pace and twenty-four members of Leadership Camden County.

Senator Richard introduced to the Senate, fifteen eighth grade students from Everton School.

Senator Dempsey introduced to the Senate, teachers Joann Hynes, Lauren Lammert, Kristine Bohn and forty-eight fourth grade students from the Academy of the Sacred Heart, St. Charles.

Senator Richard introduced to the Senate, parents, teachers and eighty fourth grade students from Cecil Floyd Elementary School, Joplin.

Senator Cunningham introduced to the Senate, Ryan and Sheridan Turner, Marshfield.

Senator Wallingford introduced to the Senate, Principal Michelle Williams, Assistant Principal Shawn Nix, teacher Carry Coy and fourth grade students from Chaffee Elementary School.

Senator Walsh introduced to the Senate, Principal Mary Ann Kauffman, teacher Theresa Kremer and twenty-seven seventh grade students from St. Angela Merici School, Florissant; and Taryn Carr, Sam Cook, Matthew Mergen and Camille Shoals were made honorary pages.

Senator Richard introduced to the Senate, the Physicans of the Day, Ellen Nichols, M.D., and Laurie Behm, M.D., Joplin.

Senator Sater introduced to the Senate, fifteen students from College of the Ozarks, Point Lookout.

On behalf of Senator Kehoe, the President introduced to the Senate, Bruce Miedema, Plymouth, Michigan.

On motion of Senator Richard, the Senate adjourned under the rules.

## SENATE CALENDAR

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FIFTY-FOURTH DAY–THURSDAY, APRIL 17, 2014

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## FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HB 1144-White, et al

HCS for HB 1918

HB 1539-Kelley (127), et al

HCS for HB 1614

HB 1454-Swan, et al

HB 1251-Elmer, et al

HB 1591-Brown and Higdon

THIRD READING OF SENATE BILLS

- |   |   |
|---|---|
| 1. SS for SCS for SB 666-Schmitt (In Fiscal Oversight)    | 12. SCS for SB 642-Romine                       |
| 2. SS for SB 575-Dixon                                    | 13. SB 655-Kraus                                |
| 3. SCS for SB 704-Lager                                   | 14. SB 717-Brown                                |
| 4. SB 842-Parson  | 15. SS for SB 758-Justus                        |
| 5. SB 844-Dixon (In Fiscal Oversight)                     | 16. SB 786-Schmitt                              |
| 6. SS for SCS for SB 850-Munzlinger (In Fiscal Oversight) | 17. SCS for SB 824-Dixon                        |
| 7. SCS for SB 852-Schmitt                                 | 18. SS for SB 860-Cunningham                    |
| 8. SCS for SB 873-Brown                                   | 19. SS for SB 869-Schmitt                       |
| 9. SB 992-Dempsey   | 20. SB 891-Kehoe                                |
| 10. SS for SCS for SB 599-Kraus                           | 21. SB 794-Chappelle-Nadal                      |
| 11. SCS for SBs 638 & 647-Romine (In Fiscal Oversight)    | 22. SS#2 for SB 754-Sater (In Fiscal Oversight) |
|   | 23. SS for SCS for SB 841-Wasson                |

SENATE BILLS FOR PERFECTION

- |                              |                               |
|------------------------------|-------------------------------|
| SB 770-Wallingford, with SCS | SB 669-Schaaf                 |
| SB 884-Wallingford and Sater | SB 821-Schaefer               |
| SB 958-Nieves                | SB 823-Dixon, et al, with SCS |
| SB 858-Kraus                 | SB 973-Brown                  |

HOUSE BILLS ON THIRD READING

- |  |                                       |
|--|---------------------------------------|
| 1. HB 1495-Torpey and Hicks, with SCS (Dixon)      | 5. HCS for HJR 47 (Kraus)             |
| 2. HCS for HB 1501 (Schmitt) (In Fiscal Oversight) | 6. HB 1361-Gosen and Wieland (Parson) |
| 3. HJR 72-Richardson, et al (Silvey)               | 7. HCS for HB 1079 (Parson)           |
| 4. HCS for HB 1218 (Wasson)                        | 8. HCS for HB 1295, with SCS (Kraus)  |
|  | 9. HB 2029-Cierpiot (Nieves)          |
|  | 10. HCS for HRB 1298 (Lager)          |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- |                                  |                                  |
|----------------------------------|----------------------------------|
| SB 490-Lager and Kehoe, with SCS | SB 494-Pearce, with SS (pending) |
|----------------------------------|----------------------------------|

SB 501-Keaveny  
 SB 518-Sater, with SCS, SA 2 & SA 1 to  
   SA 2 (pending)  
 SB 519-Sater, with SS & SA 1 (pending)  
 SB 538-Keaveny and Holsman  
 SS for SB 543-Munzlinger  
 SB 550-Sater, with SCS  
 SB 553-Emery, with SCS (pending)  
 SB 555-Nasheed, with SS & SA 1 (pending)  
 SB 566-Sifton  
 SB 573-Munzlinger, with SCS  
 SB 578-Kraus  
 SB 589-Brown, with SCS, SA 2 & SA 1 to  
   SA 2 (pending)  
 SB 617-Parson, with SCS, SS for SCS & SA 1  
   (pending)  
 SB 634-Parson, with SCS  
 SB 641-Emery  
 SB 644-LeVota  
 SB 659-Wallingford, with SCS  
 SB 663-Munzlinger, with SCS  
 SB 671-Sater  
 SB 692-Wasson, with SA 1 (pending)  
 SB 712-Walsh, with SCS & SS for SCS  
   (pending)  
 SB 724-Parson  
 SB 739-Romine, with SCS, SS for SCS, SA 1 &  
   SA 1 to SA 1 (pending)

SB 755-Wallingford  
 SB 762-Schaefer, with SCS  
 SB 769-Pearce, with SCS  
 SBs 787 & 804-Justus, with SCS  
 SB 790-Dixon  
 SB 795-Lager  
 SB 814-Brown  
 SB 819-Wallingford, with SCS  
 SB 830-Parson  
 SBs 836 & 800-Munzlinger, with SCS  
 SB 846-Richard  
 SB 848-LeVota, with SCS  
 SB 866-Wasson and Cunningham  
 SB 875-Sater, with SCS  
 SB 887-Schaefer  
 SB 888-Parson, with SCS  
 SB 912-Wasson and Justus, with SCS  
   (pending)  
 SB 919-Justus  
 SB 964-Lager  
 SB 966-Lager  
 SJR 25-Lager, with SS, SA 2 & SA 1 to SA 2  
   (pending)  
 SJR 26-Lager, with SS & SA 1 (pending)  
 SJR 34-Emery  
 SJR 42-Schmitt, with SS (pending)

#### HOUSE BILLS ON THIRD READING

HB 1173-Burlison, et al, with SA 1 &  
   SA 1 to SA 1 (pending) (Brown)

#### CONSENT CALENDAR

House Bills

Reported 4/10

HCS for HB 1426 (Schmitt)

HCS for HB 1376 (Keaveny)

HCS for HB 1523 (Pearce)

HB 1602-Engler and Black (Romine)

Reported 4/15

HB 1968-Gosen, with SCS (Wasson)

HB 1245-Hampton, et al (Libla)

HCS for HB 1510 (Brown)

HB 1656-Neely and Hurst (Romine)

HB 1724-Davis and Lynch

HB 1301-Neth (Silvey)

HCS for HB 1217, with SCS (Cunningham)

HB 1835-Haar, et al (Dixon)

HB 1184-Grisamore

HB 1064-Grisamore

HB 1081-McCaherty, et al (Romine)

HCS for HB 1090 (Munzlinger)

HB 1791-Fitzwater, et al, with SCS (Romine)

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# Journal of the Senate

## SECOND REGULAR SESSION

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**FIFTY-FOURTH DAY—THURSDAY, APRIL 17, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“I pray that, according to the riches of his glory, he may grant that you may be strengthened in your inner being with the power through his Spirit...” (Ephesians 3:16a)

Help us, O Lord, to see this weekend as more than an extra day away from the Senate. Keep our thoughts focused on the statement this weekend makes about who loves us and the final victory You have in store for all who believe. May our thoughts be more than about bunnies and eggs and more on celebrating the great miracle that will keep our loved ones together even beyond death. Turn our thoughts to the promise and renewal and resurrection that keeps us alive, now and forever. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from the University of Missouri-Mizzou Network were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator LeVota offered Senate Resolution No. 1868, regarding Roxann Thorley, Independence, which was adopted.

Senator Lamping offered Senate Resolution No. 1869, regarding Samantha Fairchild Copeland, St. Peters, which was adopted.

Senator LeVota offered Senate Resolution No. 1870, regarding Jim Schultz, Independence, which was adopted.

Senator LeVota offered Senate Resolution No. 1871, regarding Jeannie Hutter, Independence, which was adopted.

Senator Schmitt offered Senate Resolution No. 1872, regarding Edward N. Lisciandra, Valley Park, which was adopted.

Senator Schmitt offered Senate Resolution No. 1873, regarding Gerard Paul Kordsmeier, Saint Louis, which was adopted.

Senator Sater offered Senate Resolution No. 1874, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Russell Bishop, which was adopted.

Senator Sater offered Senate Resolution No. 1875, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bill Berg, which was adopted.

**MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 17, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment to office made by me and submitted to you on March 7, 2014, for your advice and consent:

James Kent Emison, Democrat, 109 Autumn Drive, Higginsville, Lafayette County, Missouri 64037, as a member of the Conservation Commission, for a term ending June 30, 2019, and until his successor is duly appointed and qualified; vice, Tim Dollar.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Dempsey moved that the above appointment be returned to the Governor per his request, which motion prevailed.

Senator Kehoe assumed the Chair.

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 17, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment to office made by me and submitted to you on February 28, 2014, for your advice and consent:

Joseph A. Carroll, Democrat, 443 West Morrow, Marshall, Saline County, Missouri 65340, as a member of the Missouri Ethics Commission, for a term ending March 15, 2018, and until his successor is duly appointed and qualified; vice, Vernon Dawdy, term expires March 15, 2014.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Dempsey moved that the above appointment be returned to the Governor per his request, which motion prevailed.

### **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointment, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Kay Park and Laurie D. Smith, as members of the Missouri Genetic Advisory Committee;

Also,

April S. Wilson and Jennifer L. Schoonover, as members of the Child Abuse and Neglect Review Board;

Also,

Brian Kinkade, as Director of the Department of Social Services;

Also,

Jenny Frisbee, as a member of the Behavior Analyst Advisory Board; and

Jerome Offord Jr. and Christopher A. Gordon, as members of the State Historical Records Advisory Board.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointment, which motion prevailed.

### **THIRD READING OF SENATE BILLS**

**SS for SB 575**, introduced by Senator Dixon, entitled:

#### **SENATE SUBSTITUTE FOR SENATE BILL NO. 575**

An Act to repeal sections 8.010, 8.597, 21.440, 21.445, 21.450, 21.455, 21.460, 21.465, 21.530, 21.535, 21.537, 21.795, 21.800, 21.801, 21.820, 21.830, 21.835, 21.850, 21.910, 21.920, 30.953, 30.954, 30.956, 30.959, 30.962, 30.965, 30.968, 30.971, 33.150, 33.710, 33.850, 37.250, 105.955, 135.210, 135.230, 167.195, 191.115, 191.934, 197.291, 208.275, 208.952, 208.955, 210.153, 215.261, 215.262, 217.025,

217.035, 217.550, 217.567, 262.950, 301.129, 313.001, 320.092, 338.321, 348.439, 361.120, 383.250, 386.145, 476.681, 620.050, 620.602, 620.1300, 630.010, 630.461, and 650.120, RSMo, section 105.955 as enacted by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 476.055 as enacted by conference committee substitute for house committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, and to enact in lieu thereof twenty-three new sections relating to the existence of certain committees.

Was taken up.

On motion of Senator Dixon, **SS** for **SB 575** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 704**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 704

An Act to repeal sections 327.312, 327.313, and 327.314, RSMo, and to enact in lieu thereof four new sections relating to land surveyors.

Was taken up by Senator Lager.

On motion of Senator Lager, **SCS** for **SB 704** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Kraus—1



Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 842**, introduced by Senator Parson, entitled:

An Act to repeal section 142.941, RSMo, and to enact in lieu thereof one new section relating to diesel fuel inspections.

Was taken up.

On motion of Senator Parson, **SB 842** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 852**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 852

An Act to repeal sections 84.340 and 571.030, RSMo, and to enact in lieu thereof three new sections relating to corporate security advisors, with a penalty provision and an emergency clause.

Was taken up by Senator Schmitt.

On motion of Senator Schmitt, **SCS** for **SB 852** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 873**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 873

An Act to repeal sections 210.117, 210.482, 210.487, and 211.038, RSMo, and to enact in lieu thereof four new sections relating to background checks for the purposes of child placement.

Was taken up by Senator Brown.

On motion of Senator Brown, **SCS** for **SB 873** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
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Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 992**, introduced by Senator Dempsey, entitled:

An Act to repeal section 8.010, RSMo, and to enact in lieu thereof one new section relating to the board of public buildings.

Was taken up.

On motion of Senator Dempsey, **SB 992** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Dempsey, title to the bill was agreed to.

Senator Dempsey moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS** for **SCS** for **SB 599**, introduced by Senator Kraus, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 599

An Act to amend chapter 43, RSMo, by adding thereto one new section relating to automated license plate reader systems, with penalty provisions.

Was taken up.

On motion of Senator Kraus, **SS** for **SCS** for **SB 599** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 642**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 642

An Act to repeal sections 444.772 and 444.773, RSMo, and to enact in lieu thereof two new sections relating to surface mining.

Was taken up by Senator Romine.

On motion of Senator Romine, **SCS** for **SB 642** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 655**, introduced by Senator Kraus, entitled:

An Act to repeal sections 441.005, 441.500, 441.760, 441.770, and 569.130, RSMo, and to enact in lieu thereof five new sections relating to rental property.

Was taken up.

On motion of Senator Kraus, **SB 655** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 717**, introduced by Senator Brown, entitled:

An Act to repeal section 338.020, RSMo, and to enact in lieu thereof one new section relating to legally qualified federal pharmacists.

Was taken up.

On motion of Senator Brown, **SB 717** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
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Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS** for **SB 758**, introduced by Senator Justus, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 758

An Act to repeal section 105.711, RSMo, and to enact in lieu thereof one new section relating to health care professionals who are covered by the state legal expense fund.

Was taken up.

Senator Pearce assumed the Chair.

On motion of Senator Justus, **SS** for **SB 758** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Justus, title to the bill was agreed to.

Senator Justus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 786**, introduced by Senator Schmitt, entitled:

An Act to repeal section 311.055, RSMo, and to enact in lieu thereof one new section relating to intoxicating liquor manufactured for personal or family use.

Was taken up.

On motion of Senator Schmitt, **SB 786** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 824**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 824

An Act to repeal sections 1.020, 56.010, 56.060, 56.067, 56.265, 56.363, 56.430, 56.805, 56.807, 56.816, and 211.411, RSMo, and to enact in lieu thereof thirteen new sections relating to prosecuting attorneys.

Was taken up by Senator Dixon.

On motion of Senator Dixon, **SCS** for **SB 824** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS** for **SB 860**, introduced by Senator Cunningham, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 860

An Act to repeal section 144.044, RSMo, and to enact in lieu thereof one new section relating to the sales of used manufactured homes.

Was taken up.

On motion of Senator Cunningham, **SS** for **SB 860** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS** for **SB 869**, introduced by Senator Schmitt, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 869

An Act to repeal sections 453.073 and 453.074, RSMo, and to enact in lieu thereof two new sections relating to adoption subsidies.

Was taken up.



On motion of Senator Schmitt, **SS** for **SB 869** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 891**, introduced by Senator Kehoe, entitled:

An Act to repeal section 300.320, RSMo, relating to the identification of funeral processions.

Was taken up.

On motion of Senator Kehoe, **SB 891** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SB 794**, introduced by Senator Chappelle-Nadal, entitled:

An Act to repeal section 362.333, RSMo, and to enact in lieu thereof one new section relating to irrevocable life insurance trusts.

Was taken up.

On motion of Senator Chappelle-Nadal, **SB 794** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Chappelle-Nadal, title to the bill was agreed to.

Senator Chappelle-Nadal moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS** for **SCS** for **SB 841**, introduced by Senator Wasson, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 841

An Act to repeal sections 407.925, 407.926, 407.927, 407.929, 407.931, 407.933, and 407.934, RSMo, and to enact in lieu thereof seven new sections relating to alternative nicotine or vapor products, with penalty provisions.

Was taken up.

President Pro Tem Dempsey assumed the Chair.

On motion of Senator Wasson, **SS** for **SCS** for **SB 841** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaefer	Schmitt	Sifton
Wallingford	Walsh	Wasson—27					

NAYS—Senators

Keaveny

LeVota

Schaaf

Silvey—4

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—2

The President Pro Tem declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 815**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which were referred **SB 798** and **SB 514**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 896**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HJR 90**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment to article VIII of the Constitution of Missouri, by adding thereto one new section relating to early voting.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1999**, entitled:

An Act to repeal section 301.640, RSMo, and to enact in lieu thereof one new section relating to the electronic transmission of motor vehicle lien documents.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1075**, entitled:

An Act to repeal sections 447.503, 447.535, 447.536, 447.547, and 447.569, RSMo, and to enact in lieu thereof six new sections relating to unclaimed property.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **REPORTS OF STANDING COMMITTEES**

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS** for **HB 1501**, begs leave to report that it has considered the same and recommends that the bill do pass.

### **RESOLUTIONS**

Senator Dempsey offered Senate Resolution No. 1876, regarding Clifford Wayne Wilson, Saint Peters, which was adopted.

Senator Dempsey offered Senate Resolution No. 1877, regarding Gustave Emil Vogelsang, Saint Peters, which was adopted.

Senator Dempsey offered Senate Resolution No. 1878, regarding George F. Wilhelm, Jr., Saint Charles, which was adopted.

Senator Wasson offered Senate Resolution No. 1879, regarding Sandy O'Connor, which was adopted.

Senator Wasson offered Senate Resolution No. 1880, regarding Cindy Latch, which was adopted.

Senator Wasson offered Senate Resolution No. 1881, regarding Ronald Reese, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Schaefer introduced to the Senate, Coach Brian Smith, Drake Houdashelt, Jayden Cox and the 2014 Champion University of Missouri wrestling team.

Senator Dixon introduced to the Senate, former State Senator Norma Champion, Springfield.

On behalf of Senator Kehoe, the President introduced to the Senate, Isaac Rackers, St. Thomas; and Isaac was made an honorary page.

Senator Cunningham introduced to the Senate, the Physician of the Day, David Barbe, M.D., Mountain Grove.

Senator Schmitt introduced to the Senate, teacher Abby Evrard and fourth grade students from Twin Oaks Christian School, Ballwin.

Senator Dixon introduced to the Senate, Professor Lacey Hunnall and students: Kristina Witt, Bru Hickey, Beka Squires, Justin Burgess, Bethany Ruttan, Shannon Ashley Chambers, Ivy Jensen, Caitlin Anger and Taylor Barth, Evangel University, Springfield.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Tuesday, April 22, 2014.

## SENATE CALENDAR

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FIFTY-FIFTH DAY–TUESDAY, APRIL 22, 2014

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## FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HB 1144-White, et al

HCS for HB 1918

HB 1539-Kelley (127), et al

HCS for HB 1614

HB 1454-Swan, et al

HB 1251-Elmer, et al

HB 1591-Brown and Higdon

HCS for HJR 90

HCS for HB 1999

HCS for HB 1075

### THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt (In  
Fiscal Oversight)

SB 844-Dixon (In Fiscal Oversight)

SS for SCS for SB 850-Munzlinger (In  
Fiscal Oversight)

SCS for SBs 638 & 647-Romine (In  
Fiscal Oversight)

SS#2 for SB 754-Sater (In Fiscal  
Oversight)

SCS for SB 896-Wallingford

### SENATE BILLS FOR PERFECTION

1. SB 770-Wallingford, with SCS

2. SB 884-Wallingford and Sater

3. SB 958-Nieves

4. SB 858-Kraus

5. SB 669-Schaaf

6. SB 821-Schaefer

7. SB 823-Dixon, et al, with SCS

8. SB 973-Brown

9. SB 815-Pearce, with SCS

10. SBs 798 & 514-Emery, with SCS

## HOUSE BILLS ON THIRD READING

- |  |                                       |
|--|---------------------------------------|
| 1. HB 1495-Torpey and Hicks, with SCS<br>(Dixon) | 6. HB 1361-Gosen and Wieland (Parson) |
| 2. HCS for HB 1501 (Schmitt)                     | 7. HCS for HB 1079 (Parson)           |
| 3. HJR 72-Richardson, et al (Silvey)             | 8. HCS for HB 1295, with SCS (Kraus)  |
| 4. HCS for HB 1218 (Wasson)                      | 9. HB 2029-Cierpiot (Nieves)          |
| 5. HCS for HJR 47 (Kraus)                        | 10. HCS for HRB 1298 (Lager)          |

## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

- |  |   |
|--|---|
| SB 490-Lager and Kehoe, with SCS                         | SB 724-Parson   |
| SB 494-Pearce, with SS (pending)                         | SB 739-Romine, with SCS, SS for SCS, SA 1 &<br>SA 1 to SA 1 (pending) |
| SB 501-Keaveny   | SB 755-Wallingford  |
| SB 518-Sater, with SCS, SA 2 & SA 1 to<br>SA 2 (pending) | SB 762-Schaefer, with SCS   |
| SB 519-Sater, with SS & SA 1 (pending)                   | SB 769-Pearce, with SCS   |
| SB 538-Keaveny and Holsman                               | SBs 787 & 804-Justus, with SCS  |
| SS for SB 543-Munzlinger                                 | SB 790-Dixon  |
| SB 550-Sater, with SCS                                   | SB 795-Lager  |
| SB 553-Emery, with SCS (pending)                         | SB 814-Brown  |
| SB 555-Nasheed, with SS & SA 1 (pending)                 | SB 819-Wallingford, with SCS  |
| SB 566-Sifton  | SB 830-Parson   |
| SB 573-Munzlinger, with SCS                              | SBs 836 & 800-Munzlinger, with SCS                                    |
| SB 578-Kraus   | SB 846-Richard  |
| SB 589-Brown, with SCS, SA 2 & SA 1 to<br>SA 2 (pending) | SB 848-LeVota, with SCS   |
| SB 617-Parson, with SCS, SS for SCS & SA 1<br>(pending)  | SB 866-Wasson and Cunningham  |
| SB 634-Parson, with SCS                                  | SB 875-Sater, with SCS  |
| SB 641-Emery   | SB 887-Schaefer   |
| SB 644-LeVota  | SB 888-Parson, with SCS   |
| SB 659-Wallingford, with SCS                             | SB 912-Wasson and Justus, with SCS<br>(pending)                       |
| SB 663-Munzlinger, with SCS                              | SB 919-Justus   |
| SB 671-Sater   | SB 964-Lager  |
| SB 692-Wasson, with SA 1 (pending)                       | SB 966-Lager  |
| SB 712-Walsh, with SCS & SS for SCS (pending)            | SJR 25-Lager, with SS, SA 2 & SA 1 to SA 2<br>(pending)               |

SJR 26-Lager, with SS & SA 1 (pending)  
SJR 34-Emery

SJR 42-Schmitt, with SS (pending)

HOUSE BILLS ON THIRD READING

HB 1173-Burlison, et al, with SA 1 & SA 1  
to SA 1 (pending) (Brown)

CONSENT CALENDAR

House Bills

Reported 4/10

HCS for HB 1426 (Schmitt)  
HCS for HB 1376 (Keaveny)

HCS for HB 1523 (Pearce)  
HB 1602-Engler and Black (Romine)

Reported 4/15

HB 1968-Gosen, with SCS (Wasson)  
HB 1245-Hampton, et al (Libla)  
HCS for HB 1510 (Brown)  
HB 1656-Neely and Hurst (Romine)  
HB 1724-Davis and Lynch  
HB 1301-Neth (Silvey)  
HCS for HB 1217, with SCS (Cunningham)

HB 1835-Haar, et al (Dixon)  
HB 1184-Grisamore  
HB 1064-Grisamore  
HB 1081-McCaherty, et al (Romine)  
HCS for HB 1090 (Munzlinger)  
HB 1791-Fitzwater, et al, with SCS (Romine)

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# Journal of the Senate

## SECOND REGULAR SESSION

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**FIFTY-FIFTH DAY—TUESDAY, APRIL 22, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“True faith does not contradict its words by its conduct.” (Unknown)

Almighty God, we like to think of ourselves as a people of faith and practice our faith in what we do and say both here and at home. Grant that our actions and words do not contradict our faith in You and let it show itself with those we work with and may we remain open to Your prompting. We give You thanks for watching our “going out and our coming in” bringing us safely here to continue our work. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 17, 2014 was read and approved.

The following Senators were present during the day’s proceedings:

**Present—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

**Absent—Senators—None**

**Absent with leave—Senators—None**

**Vacancies—2**

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Lager offered Senate Resolution No. 1882, regarding the Sixtieth Wedding Anniversary of Mr.



and Mrs. Donald Hutson, Bolckow, which was adopted.

Senator Lager offered Senate Resolution No. 1883, regarding Robert “Bert” Ernst, which was adopted.

Senator Wallingford offered Senate Resolution No. 1884, regarding Beth St. John, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 1885, regarding Heather Miller, which was adopted.

Senator Wallingford offered Senate Resolution No. 1886, regarding Jason Bruns, Cape Girardeau, which was adopted.

Senator Wallingford offered Senate Resolution No. 1887, regarding Lisa Goodwin, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 1888, regarding Tammy Mueller, Jackson, which was adopted.

Senator Keaveny offered Senate Resolution No. 1889, regarding Marilyn Coleman, which was adopted.

Senator Kehoe offered Senate Resolution No. 1890, regarding Bob Maxwell, Fulton, which was adopted.

Senator Kehoe offered Senate Resolution No. 1891, regarding Karen Kirchoff, California, which was adopted.

Senator Kehoe offered Senate Resolution No. 1892, regarding Lisa M. Herx, Iberia, which was adopted.

Senator Keaveny offered Senate Resolution No. 1893, regarding Earl Edward Brown, Brentwood, which was adopted.

Senator LeVota offered Senate Resolution No. 1894, regarding Jana Waits, which was adopted.

Senator LeVota offered Senate Resolution No. 1895, regarding Truman High School, Independence School District, which was adopted.

Senator LeVota offered Senate Resolution No. 1896, regarding John Cash, Independence, which was adopted.

Senators Wasson and Dixon offered Senate Resolution No. 1897, regarding Easton Sprague, which was adopted.

Senators Wasson and Dixon offered Senate Resolution No. 1898, regarding Rieder Sprague, which was adopted.

Senator Wasson offered Senate Resolution No. 1899, regarding the 2013-2014 Class 4 Champions Republic High School Boys Basketball Team, which was adopted.

Senator Wasson offered Senate Resolution No. 1900, regarding Laura Cook, Ozark, which was adopted.

Senator Wasson offered Senate Resolution No. 1901, regarding Angie Atwell, Nixa, which was adopted.

Senator Wasson offered Senate Resolution No. 1902, regarding East Elementary School, Ozark R-VI School District, which was adopted.

Senator Curls offered Senate Resolution No. 1903, regarding the death of Murvell Vertez “Big Murv” McMurry, Kansas City, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1904, regarding the late Stephen Glascock, which was adopted.

Senator Walsh offered Senate Resolution No. 1905, regarding Herman Henry Heinrich, Saint Louis, which was adopted.

Senator Brown offered Senate Resolution No. 1906, regarding Dallas Ernst, which was adopted.

Senator Brown offered Senate Resolution No. 1907, regarding Lee Ann Kenley, which was adopted.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1690**, entitled:

An Act to repeal sections 407.925, 407.926, 407.927, 407.929, 407.931, 407.933, and 407.934, RSMo, and to enact in lieu thereof seven new sections relating to alternative nicotine or vapor products, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1078**, entitled:

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to public water systems, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1336**, entitled:

An Act to repeal sections 382.010, 382.020, 382.040, 382.050, 382.060, 382.080, 382.095, 382.110, 382.170, 382.180, 382.190, 382.195, 382.220, and 382.230, RSMo, and to enact in lieu thereof seventeen new sections relating to insurance holding companies, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1882**, entitled:

An Act to repeal sections 21.557, 21.561, 21.562, 21.563, 21.564, 105.660, 105.664, 105.665, 105.666, 105.670, 105.683, and 105.684, RSMo, and to enact in lieu thereof twelve new sections relating to administrative requirements of public employee retirement plans.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1615**, entitled:

An Act to repeal section 311.091, RSMo, and to enact in lieu thereof one new section relating to the sale of intoxicating liquor on boats.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1998**, entitled:

An Act to repeal section 340.396, RSMo, and to enact in lieu thereof one new section relating to the large animal veterinary student loan program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2** for **HBs 1100** and **1421**, entitled:

An Act to amend chapter 196, RSMo, by adding thereto two new sections relating to food preparation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1250**, entitled:

An Act to repeal section 160.518, RSMo, and to enact in lieu thereof three new sections relating to elementary and secondary education.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2125**, entitled:

An Act to amend chapter 191, RSMo, by adding thereto two new sections relating to public health.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1377**, entitled:

An Act to repeal section 173.260, RSMo, and to enact in lieu thereof one new section relating to survivor's and disabled employee's educational grant program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1883**, entitled:

An Act to repeal sections 3.142, 21.440, 21.445, 21.450, 21.455, 21.460, 21.465, 44.227, 208.530, 208.533, 208.535, 376.1190, and 376.1192, RSMo, and to enact in lieu thereof four new sections relating to the general assembly.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1124**, entitled:

An Act to repeal sections 301.010 and 301.700, RSMo, and to enact in lieu thereof three new sections relating to motor vehicles.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1689**, entitled:

An Act to repeal sections 160.053, 160.054, 160.055, and 161.216, RSMo, and to enact in lieu thereof six new sections relating to elementary and secondary education.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1739**, entitled:

An Act to amend chapter 115, RSMo, by adding thereto one new section relating to electronic signatures.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1865**, entitled:

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof two new sections relating to tax exemptions for utilities used in food preparation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1801**, entitled:

An Act to repeal sections 143.041, 143.071, 143.191, 144.610, 285.230, 285.232, 285.233, and 285.234, RSMo, and to enact in lieu thereof twelve new sections relating to the facilitating business rapid response to state declared disasters act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1308**, entitled:

An Act to repeal section 173.250, RSMo, and to enact in lieu thereof one new section relating to the higher education academic scholarship program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1574**, entitled:

An Act to repeal section 29.235, RSMo, and to enact in lieu thereof one new section relating to authority of the state auditor.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2193**, entitled:

An Act to repeal section 49.266, RSMo, and to enact in lieu thereof one new section relating to county commissions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2130**, entitled:

An Act to amend chapter 408, RSMo, by adding thereto one new section relating to open-end credit plans.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1906**, entitled:

An Act to repeal section 650.120, RSMo, and to enact in lieu thereof one new section relating to cyber crime investigation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1174**, entitled:

An Act to repeal sections 143.111, 143.221, 143.801, and 408.010, RSMo, and to enact in lieu thereof four new sections relating to taxation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2271**, entitled:

An Act to amend chapter 115, RSMo, by adding thereto one new section relating to early voting.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCS** for **HCR 25**.

HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE CONCURRENT RESOLUTION NO. 25

WHEREAS, oral health is a critical component of overall health affecting speech, nutrition, growth and function, social development, employability and productivity, and quality of life; and

WHEREAS, dental decay is the most common chronic disease among children - four times more common than asthma, four times more common than early-childhood obesity, and twenty times more common than diabetes; and

WHEREAS, untreated dental disease is linked to adverse health outcomes associated with diabetes, stroke, heart disease, bacterial pneumonia, pre-term and low birth weight deliveries, and in some instances, death; and

WHEREAS, students miss more than 51 million hours of school and employed adults lose more than 164 million hours of work each year due to dental disease or dental visits; and

WHEREAS, dental decay affects 18% of the nation's children aged 2-4, 52% of children aged 6-8, and 61% of teenagers age 15; and

WHEREAS, dental decay is one of the most prevalent health problems in Missouri with 55% of third grade children having experienced dental decay; and

WHEREAS, access to dental care is associated with higher utilization of preventive and restorative dental services; and

WHEREAS, the state has improved access for children enrolled in the MO HealthNet program, but more can be done for these low-income children who suffer more tooth decay than their higher-income peers; and

WHEREAS, Missouri residents deserve access to high quality oral health care:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, Second Regular Session, the Senate concurring therein, hereby:

- (1) Recognize that good oral health is critical to good overall health;
- (2) Support health policies at the state and local levels that are consistent and promote optimal oral health;
- (3) Ensure oral health impact is a consideration in the development of state policy;
- (4) Support the use of available local, state, and federal resources to monitor oral health status;
- (5) Support community oral health initiatives aimed at improving oral health literacy and better health outcomes;
- (6) Recognize the month of August as "Oral Health Awareness Month" to draw attention to ongoing efforts at the local, state, and federal levels to improve the oral health of all; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Missouri Dental Association.

In which the concurrence of the Senate is respectfully requested.

**HOUSE BILLS ON THIRD READING**

**HB 1495**, introduced by Representatives Torpey and Hicks, with **SCS**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to early stage business development corporations.

Was taken up by Senator Dixon.

**SCS** for **HB 1495**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1495

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to early stage business development corporations.

Was taken up.

Senator Dixon moved that **SCS** for **HB 1495** be adopted.

Senator Dixon offered **SS** for **SCS** for **HB 1495**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1495

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to early stage business development corporations.

Senator Dixon moved that **SS** for **SCS** for **HB 1495** be adopted.

At the request of Senator Dixon, **HB 1495**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

**HCS** for **HB 1501**, entitled:

An Act to repeal sections 99.1205, 135.350, 135.352, 253.545, 253.550, 253.557, and 253.559, RSMo, and to enact in lieu thereof seventeen new sections relating to tax incentive programs.

Was taken up by Senator Schmitt.

Senator Schmitt offered **SS** for **HCS** for **HB 1501**, entitled:

SENATE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1501

An Act to repeal sections 99.1205, 135.350, 135.352, 253.545, 253.550, 253.557, and 253.559, RSMo, and to enact in lieu thereof seventeen new sections relating to tax incentive programs.

Senator Schmitt moved that **SS** for **HCS** for **HB 1501** be adopted.

Senator Pearce assumed the Chair.

Senator Nasheed offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 1501, Pages 16-18, Section 135.350, by striking all of said section from the bill; and

Further amend said bill, pages 18-20, section 135.352, by striking all of said section from the bill; and

Further amend said bill, pages 36-37, section 253.545, by striking all of said section from the bill; and

Further amend said bill, pages 37-42, section 253.550, by striking all of said section from the bill; and

Further amend said bill, pages 42-43, section 253.557, by striking all of said section from the bill; and

Further amend said bill, pages 43-53, section 253.559, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted and requested a roll call vote be taken.



She was joined in her request by Senators Keaveny, Kraus, Lamping and Parson.

**SA 1** failed of adoption by the following vote:

YEAS—Senators

Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Schaefer	Sifton
Walsh—9							

NAYS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Sater	Schaaf	Schmitt	Silvey	Wallingford	Wasson—23	

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Sifton offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Committee Substitute for House Bill No. 1501, Page 20, Section 135.352, Lines 12-16, by striking all of said section and inserting in lieu thereof the following:

**“8. A taxpayer that receives state tax credits under the provisions of sections 253.545 to 253.559 may be eligible to receive state tax credits under the provisions of sections 135.350 to 135.363 for the same project, but in no case shall the aggregate amount of tax credits received under sections 253.545 to 253.559 and sections 135.350 to 135.363 for the same project exceed the total costs of such project.”**

Senator Sifton moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Lamping offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for House Committee Substitute for House Bill No. 1501, Page 16, Section 99.1205, Line 13 of said page, by inserting after all of said line the following:

**“135.093. 1. For all tax years beginning on or after January 1, 2015, an eligible taxpayer that is a Missouri resident shall be allowed a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to four hundred dollars per qualifying child. An eligible taxpayer shall be allowed such a credit only if the taxpayer is entitled to a dependency exemption for a qualifying child for federal tax purposes.**

**2. A taxpayer shall be considered an eligible taxpayer if:**

**(1) The taxpayer’s filing status is single, head of household, qualifying widow(er), or married filing separately and the taxpayer’s Missouri adjusted gross income is equal to or less than forty six thousand one hundred dollars; or**

**(2) The taxpayer's filing status is married filing combined and their combined Missouri adjusted gross income is equal to or less than ninety two thousand two hundred dollars.**

**3. The credit authorized by this section shall be nontransferable and nonrefundable. Any unused amount of the credit shall not be carried forward to any subsequent tax year or carried back to any previous tax year.**

**4. The department of revenue shall annually index, and the secretary of state shall publish in the Missouri Register, the amount of the tax credit authorized in subsection 1 of this section and the income thresholds specified in subsection 2 of this section to reflect changes in the Consumer Price Index for All Urban Consumers for the United States, or its successor publications, as defined and officially reported by the United States Department of Labor, or its successor agency.**

**5. The department of revenue shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.”; and**

Further amend the title and enacting clause accordingly.

Senator Lamping moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Chappelle-Nadal, LeVota, Sifton and Walsh.

**SA 3** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Romine assumed the Chair.

Senator Parson offered **SA 4**:

**SENATE AMENDMENT NO. 4**

Amend Senate Substitute for House Committee Substitute for House Bill No. 1501, Page 20, Section 135.352, Line 22, by inserting after all of said line the following:

“135.700. **1.** For all tax years beginning on or after January 1, 1999, a grape grower or wine producer shall be allowed a tax credit against the state tax liability incurred pursuant to chapter 143, exclusive of the provisions relating to the withholding of tax as provided in sections 143.191 to 143.265, in an amount equal to twenty-five percent of the purchase price of all new **and used** equipment and materials used directly in the growing of grapes or the production of wine in the state. Each grower or producer shall apply to the department of economic development and specify the total amount of such new equipment and materials purchased during the calendar year. The department of economic development shall certify to the department of revenue the amount of such tax credit to which a grape grower or wine producer is entitled pursuant to this section. The provisions of this section notwithstanding, a grower or producer may only apply for and receive the credit authorized by this section for five tax periods.

**2. For the taxable years beginning on or after August 28, 2014, the total amount of tax credits allowed under subsection 1 of this section shall not exceed two hundred thousand dollars annually.”;** and

Further amend the title and enacting clause accordingly.

Senator Parson moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Schmitt, **HCS** for **HB 1501**, with **SS**, as amended (pending), was placed on the Informal Calendar.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **HB 1791**, with **SCS**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **HCS** for **HB 1090**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **HB 1184**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **HCS** for **HB 1217**, with **SCS**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

### **HOUSE BILLS ON SECOND READING**

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

**HB 1144**—Small Business, Insurance and Industry.

**HCS for HB 1918**—Commerce, Consumer Protection, Energy and the Environment.

**HB 1539**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HB 1614**—Education.

**HB 1454**—Commerce, Consumer Protection, Energy and the Environment.

**HB 1251**—Jobs, Economic Development and Local Government.

**HB 1591**—General Laws.

**HCS for HJR 90**—Financial and Governmental Organizations and Elections.

**HCS for HB 1999**—Transportation and Infrastructure.

**HCS for HB 1075**—Governmental Accountability and Fiscal Oversight.

### **INTRODUCTIONS OF GUESTS**

Senator Keaveny introduced to the Senate, his godson, Teddy Sheehan and his brother, Troy; teacher Jessica Gerdeman and twenty-eight seventh grade students from St. Paul's School.

On motion of Senator Richard, the Senate adjourned under the rules.

### **SENATE CALENDAR**

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**FIFTY-SIXTH DAY—WEDNESDAY, APRIL 23, 2014**

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### **FORMAL CALENDAR**

#### **HOUSE BILLS ON SECOND READING**

HCS for HB 1690

HCS for HB 1078

HCS for HB 1336

HCS for HB 1882

HB 1615-Fitzpatrick and Miller

HB 1998-Jones (50)

HCS#2 for HBs 1100 & 1421

HCS for HB 1250

HCS for HB 2125

HCS for HB 1377

HB 1883-Flanigan and Allen

HCS for HB 1124

HCS for HB 1689

HCS for HB 1739

HB 1865-Redmon, et al

HCS for HB 1801

HCS for HB 1308

HB 1574-Hoskins

HB 2193-Rowland and Lichtenegger

HCS for HB 2130

HB 1906-Schieber  
HB 1174-Curtman

HCS for HB 2271

### THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt (In  
Fiscal Oversight)  
SB 844-Dixon (In Fiscal Oversight)  
SS for SCS for SB 850-Munzlinger (In  
Fiscal Oversight)

SCS for SBs 638 & 647-Romine (In  
Fiscal Oversight)  
SS#2 for SB 754-Sater (In Fiscal  
Oversight)  
SCS for SB 896-Wallingford

### SENATE BILLS FOR PERFECTION

1. SB 770-Wallingford, with SCS
2. SB 884-Wallingford and Sater
3. SB 958-Nieves
4. SB 858-Kraus
5. SB 669-Schaaf

6. SB 821-Schaefer
7. SB 823-Dixon, et al, with SCS
8. SB 973-Brown
9. SB 815-Pearce, with SCS
10. SBs 798 & 514-Emery, with SCS

### HOUSE BILLS ON THIRD READING

HJR 72-Richardson, et al (Silvey)  
HCS for HB 1218 (Wasson)  
HCS for HJR 47 (Kraus)  
HB 1361-Gosen and Wieland (Parson)

HCS for HB 1079 (Parson)  
HCS for HB 1295, with SCS (Kraus)  
HB 2029-Cierpiot (Nieves)  
HCS for HRB 1298 (Lager)

### INFORMAL CALENDAR

### SENATE BILLS FOR PERFECTION

SB 490-Lager and Kehoe, with SCS  
SB 494-Pearce, with SS (pending)  
SB 501-Keaveny  
SB 518-Sater, with SCS, SA 2 & SA 1 to  
SA 2 (pending)  
SB 519-Sater, with SS & SA 1 (pending)  
SB 538-Keaveny and Holsman  
SS for SB 543-Munzlinger

SB 550-Sater, with SCS  
SB 553-Emery, with SCS (pending)  
SB 555-Nasheed, with SS & SA 1 (pending)  
SB 566-Sifton  
SB 573-Munzlinger, with SCS  
SB 578-Kraus  
SB 589-Brown, with SCS, SA 2 & SA 1 to  
SA 2 (pending)

SB 617-Parson, with SCS, SS for SCS & SA 1  
(pending)  
SB 634-Parson, with SCS  
SB 641-Emery  
SB 644-LeVota  
SB 659-Wallingford, with SCS  
SB 663-Munzlinger, with SCS  
SB 671-Sater  
SB 692-Wasson, with SA 1 (pending)  
SB 712-Walsh, with SCS & SS for SCS  
(pending)  
SB 724-Parson  
SB 739-Romine, with SCS, SS for SCS, SA 1 &  
SA 1 to SA 1 (pending)  
SB 755-Wallingford  
SB 762-Schaefer, with SCS  
SB 769-Pearce, with SCS  
SBs 787 & 804-Justus, with SCS  
SB 790-Dixon  
SB 795-Lager

SB 814-Brown  
SB 819-Wallingford, with SCS  
SB 830-Parson  
SBs 836 & 800-Munzlinger, with SCS  
SB 846-Richard  
SB 848-LeVota, with SCS  
SB 866-Wasson and Cunningham  
SB 875-Sater, with SCS  
SB 887-Schaefer  
SB 888-Parson, with SCS  
SB 912-Wasson and Justus, with SCS  
(pending)  
SB 919-Justus  
SB 964-Lager  
SB 966-Lager  
SJR 25-Lager, with SS, SA 2 & SA 1 to SA 2  
(pending)  
SJR 26-Lager, with SS & SA 1 (pending)  
SJR 34-Emery  
SJR 42-Schmitt, with SS (pending)

#### HOUSE BILLS ON THIRD READING

HB 1173-Burlison, et al, with SA 1 & SA 1 to SA 1  
(pending) (Brown)  
HB 1495-Torpey and Hicks, with SCS & SS  
for SCS (pending) (Dixon)

HCS for HB 1501, with SS (pending)  
(Schmitt)

#### CONSENT CALENDAR

House Bills

Reported 4/10

HCS for HB 1426 (Schmitt)  
HCS for HB 1376 (Keaveny)

HCS for HB 1523 (Pearce)  
HB 1602-Engler and Black (Romine)

## Reported 4/15

HB 1968-Gosen, with SCS (Wasson)  
HB 1245-Hampton, et al (Libla)  
HCS for HB 1510 (Brown)  
HB 1656-Neely and Hurst (Romine)  
HB 1724-Davis and Lynch

HB 1301-Neth (Silvey)  
HB 1835-Haar, et al (Dixon)  
HB 1064-Grisamore (Schmitt)  
HB 1081-McCaherty, et al (Romine)

## RESOLUTIONS

## To be Referred

HCS for HCR 25

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# Journal of the Senate

## SECOND REGULAR SESSION

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**FIFTY-SIXTH DAY—WEDNESDAY, APRIL 23, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Days are scrolls: write on them what you want to be remembered.” (Bahya ibn Pakuda)

Gracious God, we recognize the gift of each day and often the importance of it. Help us to use each day as if it were a day that would be recorded in history; let it say about us what we want to be known for and remembered by others. So help us use this day as is keeping with what is truly important to You and needed by others. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

**Present—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

**Absent—Senators—None**

**Absent with leave—Senators—None**

**Vacancies—2**

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Dempsey offered Senate Resolution No. 1908, regarding Charles David Scanlon, Saint Peters, which was adopted.



Senator Dempsey offered Senate Resolution No. 1909, regarding Vernon Gerald “Ole Vern” Dascher, Saint Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 1910, regarding David Sherman Tucker, Saint Charles, which was adopted.

### HOUSE BILLS ON THIRD READING

At the request of Senator Silvey, **HJR 72** was placed on the Informal Calendar.

**HCS** for **HB 1218**, entitled:

An Act to repeal section 448.3-116, RSMo, and to enact in lieu thereof one new section relating to liens for assessments on condominiums.

Was taken up by Senator Wasson.

On motion of Senator Wasson, **HCS** for **HB 1218** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

#### NAYS—Senators—None

#### Absent—Senators

Justus                Nieves—2

#### Absent with leave—Senators—None

#### Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

At the request of Senator Kraus, **HCS** for **HJR 47** was placed on the Informal Calendar.

**HB 1361**, introduced by Representatives Gosen and Wieland, entitled:

An Act to repeal sections 379.316, 384.015, 384.017, 384.021, and 384.023, RSMo, and to enact in lieu thereof six new sections relating to domestic surplus lines insurers.

Was taken up by Senator Parson.

Senator Parson offered **SS** for **HB 1361**, entitled:

SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 1361

An Act to repeal sections 384.015, 384.017, 384.021, and 384.023, RSMo, and to enact in lieu thereof five new sections relating to domestic surplus lines insurers.

Senator Kehoe assumed the Chair.

Senator Parson moved that **SS** for **HB 1361** be adopted.

At the request of Senator Parson, **HB 1361**, with **SS** (pending), was placed on the Informal Calendar.

**HCS** for **HB 1079**, entitled:

An Act to repeal sections 379.011 and 379.012, RSMo, and to enact in lieu thereof two new sections relating to insurance documents.

Was taken up by Senator Parson.

On motion of Senator Parson, **HCS** for **HB 1079** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	Libla	Munzlinger	Nasheed
Nieves	Parson	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators—None

Absent—Senators

Justus            LeVota            Pearce—3

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

At the request of Senator Kraus, **HCS** for **HB 1295**, with **SCS**, was placed on the Informal Calendar.

**HB 2029**, introduced by Representative Cierpiot, et al, entitled:

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to sales and use tax exemptions for aircraft.

Was taken up by Senator Nieves.

On motion of Senator Nieves, **HB 2029** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Libla	Munzlinger
Nasheed	Nieves	Parson	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senators

LeVota Pearce—2

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Nieves, title to the bill was agreed to.

Senator Nieves moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS for HRB 1298**, entitled:

An Act to repeal sections 8.305, 21.485, 21.800, 21.801, 21.910, 82.291, 105.915, 143.811, 160.254, 160.534, 160.932, 160.933, 168.081, 168.083, 171.033, 191.115, 192.105, 196.1035, 197.291, 208.955, 262.950, 301.129, 311.489, 374.776, 376.825, 376.826, 376.827, 376.830, 376.833, 376.836, 383.250, 393.171, 407.485, 443.805, 488.2205, 542.301, 620.602, 630.461, 633.410, 640.850, 650.120, 660.425, 660.430, 660.435, 660.440, 660.445, 660.450, 660.455, 660.460, 660.465, 701.058, and 701.502, RSMo, and to enact in lieu thereof eleven new sections for the sole purpose of repealing expired, ineffective, and obsolete statutory provisions, with a penalty provision.

Was taken up by Senator Lager.

On motion of Senator Lager, **HCS for HRB 1298** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### **SENATE BILLS FOR PERFECTION**

Senator Lager moved that **SB 795** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Lager offered **SS** for **SB 795**, entitled:

#### **SENATE SUBSTITUTE FOR SENATE BILL NO. 795**

An Act to repeal section 161.216, RSMo, and to enact in lieu thereof one new section relating to early childhood education.

Senator Lager moved that **SS** for **SB 795** be adopted, which motion prevailed.

On motion of Senator Lager, **SS** for **SB 795** was declared perfected and ordered printed.

Senator Wasson moved that **SB 912**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SCS** for **SB 912** was again taken up.

At the request of Senator Wasson, **SB 912**, with **SCS** (pending), was placed on the Informal Calendar.

At the request of Senator Wallingford, **SB 770**, with **SCS**, was placed on the Informal Calendar.

Senator Wallingford moved that **SB 884** be taken up for perfection, which motion prevailed.

Senator Wallingford offered **SS** for **SB 884**, entitled:

#### **SENATE SUBSTITUTE FOR SENATE BILL NO. 884**

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance for dental services.

Senator Wallingford moved that **SS** for **SB 884** be adopted, which motion prevailed.

On motion of Senator Wallingford, **SS** for **SB 884** was declared perfected and ordered printed.

Senator Nieves moved that **SB 958** be taken up for perfection, which motion prevailed.

On motion of Senator Nieves, **SB 958** was declared perfected and ordered printed.

### REFERRALS

President Pro Tem Dempsey referred **HCS** for **HCR 25** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Dempsey referred **HB 1081** to the Committee on Governmental Accountability and Fiscal Oversight.

### REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SB 795**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

### RECESS

The time of recess having expired, the Senate was called to order by Senator Lager.

Photographers from Missouri Lawyers Media were given permission to take pictures in the Senate Chamber.

### REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SB 844**; **SS No. 2** for **SB 754**; and **SCS** for **SBs 638** and **647**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 884** and **SB 958**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### THIRD READING OF SENATE BILLS

**SB 844**, introduced by Senator Dixon, entitled:

An Act to repeal section 288.500, RSMo, and to enact in lieu thereof one new section relating to the shared work unemployment compensation program, with an emergency clause.

Was taken up.

On motion of Senator Dixon, **SB 844** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senators

Justus Nieves—2

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators—None

Absent—Senators

Dempsey Justus Nieves—3

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS for SBs 638 and 647**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILLS NOS. 638 and 647

An Act to repeal sections 135.460, 135.600, 135.630, and 135.647, RSMo, and to enact in lieu thereof four new sections relating to certain benevolent tax credits.

Was taken up by Senator Romine.

On motion of Senator Romine, **SCS** for **SBs 638** and **647** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

## NAYS—Senators

Justus	Nasheed—2
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## Absent—Senators

Nieves	Parson—2
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Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### REFERRALS

President Pro Tem Dempsey referred **SB 958** to the Committee on Governmental Accountability and Fiscal Oversight.

### THIRD READING OF SENATE BILLS

**SS No. 2** for **SB 754**, introduced by Senator Sater, entitled:

#### SENATE SUBSTITUTE NO. 2 FOR SENATE BILL NO. 754

An Act to repeal sections 208.798, 338.059, and 338.220, RSMo, and to enact in lieu thereof five new sections relating to pharmacy.

Was taken up.

On motion of Senator Sater, **SS No. 2** for **SB 754** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Pearce	Richard	Romine	Sater	Schaaf	Schaefer

Schmitt                      Sifton                      Silvey                      Wallingford                      Walsh                      Wasson—30

NAYS—Senators—None

Absent—Senators

Nieves                      Parson—2

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SCS for SB 896**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 896

An Act to amend chapters 67 and 94, RSMo, by adding thereto three new sections relating to taxes imposed by certain counties.

Was taken up by Senator Wallingford.

On motion of Senator Wallingford, **SCS for SB 896** was read the 3rd time and passed by the following vote:

YEAS—Senators

Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny
Kehoe	Lager	LeVota	Libla	Munzlinger	Nasheed	Pearce	Richard
Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—26						

NAYS—Senators

Brown                      Emery                      Kraus                      Lamping—4

Absent—Senators

Nieves                      Parson—2

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.



President Pro Tem Dempsey assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following report:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **HJR 68**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

### **SENATE BILLS FOR PERFECTION**

Senator Wasson moved that **SB 692**, with **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Wasson, **SA 1** was withdrawn.

Senator Pearce assumed the Chair.

Senator Wasson offered **SS** for **SB 692**, entitled:

#### **SENATE SUBSTITUTE FOR SENATE BILL NO. 692**

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage for optometric and ophthalmic services and materials.

Senator Wasson moved that **SS** for **SB 692** be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **SB 692** was declared perfected and ordered printed.

Senator Lager moved that **SB 964** be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

On motion of Senator Lager, **SB 964** was declared perfected and ordered printed.

Senator Wasson moved that **SB 866** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Wasson offered **SS** for **SB 866**, entitled:

#### **SENATE SUBSTITUTE FOR SENATE BILL NO. 866**

An Act to amend chapter 408, RSMo, by adding thereto one new section relating to installment loan lenders.

Senator Wasson moved that **SS** for **SB 866** be adopted.

Senator Justus offered **SA 1**:

#### **SENATE AMENDMENT NO. 1**

Amend Senate Substitute for Senate Bill No. 866, Page 3, Section 408.512, Line 13 of said page, by inserting after all of said line the following:

**“4. Nothing in this section shall apply to or preempt any ordinance governing installment lenders, or any amendment to any such ordinance, in a home rule city with more than four hundred thousand inhabitants and located in more than one county.”.**

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Wasson moved that **SS** for **SB 866**, as amended, be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **SB 866**, as amended, was declared perfected and ordered printed.

### **HOUSE BILLS ON THIRD READING**

Senator Parson moved that **HB 1361**, with **SS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SS** for **HB 1361** was again taken up.

Senator Wallingford offered **SA 1**:

### **SENATE AMENDMENT NO. 1**

Amend Senate Substitute for House Bill No. 1361, Page 1, In the Title, Line 4 of said title, by striking the following: “domestic surplus lines insurers” and inserting in lieu thereof the word “insurance”; and

Further amend said bill and page, section A, line 4 of said page, by inserting after all of said line the following:

**“376.1060. 1. As used in this section, the following terms shall mean:**

**(1) “Contracting entity”, any person or entity that is engaged in the act of contracting with providers for the delivery of dental services or the selling or assigning of dental network plans to other health care entities;**

**(2) “Identify”, providing in writing, by email or otherwise, to the participating provider the name, address, and telephone number, to the extent possible, for any third party to which the contracting entity has granted access to the health care services of the participating provider;**

**(3) “Network plan”, health insurance coverage offered by a health insurance issuer under which the financing and delivery of dental services are provided in whole or in part through a defined set of participating providers under contract with the health insurance issuer;**

**(4) “Participating provider”, a provider who, under a contract with a contracting entity, has agreed to provide dental services with an expectation of receiving payment, other than coinsurance, copayments or deductibles, directly or indirectly from the contracting entity;**

**(5) “Provider”, any person licensed under section 332.071.**

**2. A contracting entity shall not sell, assign, or otherwise grant access to the dental services of a participating provider under a health care contract unless expressly authorized by the health care contract. The health care contract shall specifically provide that one purpose of the contract is the selling, assigning, or giving the contracting entity rights to the services of the participating provider, including network plans.**

**3. Upon entering a contract with a participating provider and upon request by a participating**

provider, a contracting entity shall properly identify any third party that has been granted access to the dental services of the participating provider.

4. A contracting entity that sells, assigns, or otherwise grants access to the dental services of a participating provider shall maintain an internet website or a toll-free telephone number through which the participating provider may obtain a listing, updated at least every ninety days, of the third parties that have been granted access to the participating provider's dental services.

5. A contracting entity that sells, assigns, or otherwise grants access to a participating provider's dental services shall ensure that an explanation of benefits or remittance advice furnished to the participating provider that delivers dental services under the health care contract identifies the contractual source of any applicable discount.

6. All third parties that have contracted with a contracting entity to purchase, be assigned, or otherwise be granted access to the participating provider's discounted rate shall comply with the participating provider's contract, including all requirements to encourage access to the participating provider, and pay the participating provider pursuant to the rates of payment and methodology set forth in that contract, unless otherwise agreed to by a participating provider.

7. A contracting entity is deemed in compliance with this section when the insured's identification card provides information which identifies the insurance carrier to be used to reimburse the participating provider for the covered dental services.”; and

Further amend the title and enacting clause accordingly.

Senator Wallingford moved that the above amendment be adopted, which motion prevailed.

Senator Parson moved that **SS** for **HB 1361**, as amended, be adopted, which motion prevailed.

On motion of Senator Parson, **SS** for **HB 1361**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators—None

Absent—Senators

Chappelle-Nadal	Justus	Romine—3
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Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### **REFERRALS**

President Pro Tem Dempsey referred **HJR 68** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1201**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HB 1490**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 1729**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 1132**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 1459**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Nieves, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **SB 865**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 619**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HCS** for **HB 1439**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1126**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 1238**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 531**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **HCS** for **HB 1710**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **HCS** for **HB 1237**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HCS** for **HB 2040**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HB 1430**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HB 1092**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HB 1184**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HCS for HB 1217**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS for HRB 1299**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HB 1359**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS for SB 692**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCS for HCR 38**.

#### HOUSE COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 38

WHEREAS, the United States Environmental Protection Agency (EPA) is overstepping its jurisdictional boundaries regarding the regulation of water quality and the use of coal and wood as energy sources in Missouri; and

WHEREAS, the EPA refuses to allow the practice of blending as related to municipal waste water treatment plants in 55 of Missouri's municipalities, which is estimated to cost our state \$650 to \$700 million dollars; and

WHEREAS, on August 22, 2013, the EPA finalized water quality criteria for ammonia as a result of toxicity studies of mussels; and

WHEREAS, only 2 of the 69 species of mussels in Missouri would be affected by the new criteria, yet the EPA forces the extreme ammonia standards on the state anyway; and

WHEREAS, nearly all discharging domestic waste water treatment facilities as well as certain industrial and storm water dischargers with ammonia in their effluent cannot meet the new ammonia standards with current, reasonably priced technology; and

WHEREAS, the estimated cost to Missourians to comply with the new ammonia standards is \$1 billion dollars; and

WHEREAS, a reliable, affordable energy supply is vital to the nation's future economic growth, security, and quality of life; and

WHEREAS, domestically produced coal has been and continues to be used as a fuel to produce over 80 percent of the electricity generated

by the state's investor-owned electric utilities, municipally owned utilities, and rural electric cooperatives; and

WHEREAS, the state's heavy reliance on coal as a fuel source for Missouri's base-load electric generation is due primarily to coal being abundant, available, reliable, and comparatively much less expensive than virtually all other available fuels; and

WHEREAS, the EPA has issued proposed rules and regulations for new fossil fuel-fired power plants and is expected to issue its proposed rules and regulations for existing fossil fuel-fired power plants by June 1, 2014, with implementation by June 2015; and

WHEREAS, the EPA's proposed regulations for new power plants would require all new coal-fired power plants to utilize carbon capture and storage (CCS) technology, otherwise known as "sequestration", to capture and store carbon dioxide underground in order to meet the EPA's new stringent emission limits, even though such sequestration technology is not yet economical or even widely commercially available; and

WHEREAS, stricter emission standards imposed by the EPA on Missouri's coal-fired electric power plants will translate into higher electric costs that necessarily must be paid for by all Missouri consumers, either directly in higher electric rates or indirectly through higher costs for other goods and services; and

WHEREAS, the recent spike in propane gas prices should remind us that we need to safeguard our readily available and cost-effective resources; and

WHEREAS, the use of other forms of renewable energy should be encouraged, but not demanded and not by eliminating proven, time-tested resources; and

WHEREAS, the EPA is also proposing new source performance standards for residential wood heaters by reducing maximum fine particulate emissions from 15 micrograms per cubic meter of air to 12 micrograms per cubic meter of air; and

WHEREAS, the proposed new source performance standards would apply to new wood stoves and other wood heaters, requiring manufacturers, many of which are small businesses, to implement costly changes to their manufacturing process and products; and

WHEREAS, most wood stoves and other wood heaters are sold for use in rural, cold climate areas where wood is readily available and the consumption of wood for residential purposes is highest in the Midwest; and

WHEREAS, over 97,000 homes in Missouri used wood as their home heating fuel in 2012; and

WHEREAS, wood is the most accessible and affordable renewable energy resource for home heating; and

WHEREAS, the net carbon dioxide emissions from wood are far below those of all other fuels; and

WHEREAS, wood heating strengthens local economies, including providing jobs and incomes, since wood can be purchased locally and the money stays in the community versus purchasing natural gas or petroleum fuels from outside the community; and

WHEREAS, the cost of a new wood stove or other wood heater, which would meet the EPA's proposed new source performance standards, would be cost-prohibitive for many rural Missourians who rely on wood stoves as their residential heating source; and

WHEREAS, each state has different resources and needs and should be permitted the maximum flexibility and discretion in implementing policies and regulations regarding its natural resources:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, Second Regular Session, the Senate concurring therein, hereby urge the United States Congress to decrease the EPA's authority to regulate water quality and the use of coal and wood as energy sources; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Majority and Minority Leaders of the United States Senate and House of Representatives, the Administrator of the Environmental Protection Agency, and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCS** for **HCR 45**.

HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE CONCURRENT RESOLUTION NO. 45

WHEREAS, the Joint Interim Committee on State Employee Wages was established under HCR 32 by the Ninety-Sixth General

Assembly, First Regular Session, and was reauthorized under HCR 33 by the Ninety-Sixth General Assembly, Second Regular Session, and was charged with studying and developing strategies for increasing the wages of Missouri's state employees so Missouri will become competitive with its peer states in regard to state employee wages; and

WHEREAS, Missouri state employees are ranked 50th out of 50 states for the wages paid to state employees; and

WHEREAS, Missouri state employees provide excellent service to Missourians; and

WHEREAS, Missouri state employees have had to do more with less resources for the past several years; and

WHEREAS, Missouri state employee salary increases have not kept pace with inflation; and

WHEREAS, Missouri state employee insurance costs have steadily increased; and

WHEREAS, the Missouri state employees deferred compensation state match of state employee contributions made up to \$35 has not been funded for several years; and

WHEREAS, new Missouri state employees who are first employed by the state after January 1, 2011, are required to contribute 4 percent of their pay to their retirement plan; and

WHEREAS, the State of Missouri does not have comprehensive data on state employee compensation or total compensation; and

WHEREAS, the State of Missouri does not have a long-term or strategic plan for increasing the wages of state employees; and

WHEREAS, the State of Kansas undertook a similar initiative and has learned many lessons that could benefit the State of Missouri; and

WHEREAS, the three poorest states in the nation - West Virginia, Mississippi, and Arkansas - all rank ahead of Missouri in state employee annual compensation:

NOW, THEREFORE, BE IT RESOLVED, that the members of the House of Representatives of the Ninety-seventh General Assembly, Second Regular Session, the Senate concurring therein, hereby re-authorize the "Joint Interim Committee on State Employee Wages" to function in the legislative interims and during regular legislative sessions upon approval of the Speaker of the House of Representatives and the President Pro Tempore of the Senate through December 31, 2016, upon passage and approval of this resolution for the purpose of further study and development of strategies for increasing the wages of Missouri's state employees so Missouri will become competitive with its peer states in regard to state employee wages; and

BE IT FURTHER RESOLVED, that upon re-establishment, the Joint Interim Committee shall:

- (1) Devise a focused and concise mission statement to guide actions of the Joint Interim Committee;
- (2) Request the State Office of Administration to invest in a consultant to conduct salary and total compensation surveys to comprehensively review and analyze the state classification and compensation structures, similar to what other states have done;
- (3) Request the State Office of Administration, with the advice and consent of the Joint Interim Committee, to use the data from the comprehensive study to produce a long-term strategic plan for increasing state employee wages and to present such plan to the Governor, the House Budget Committee, and the Senate Appropriations Committee by January 31, 2017; and
- (4) Such other matters as the Joint Interim Committee may deem necessary in order to determine the proper course of future legislative and budgetary action regarding these issues; and

BE IT FURTHER RESOLVED, that the Joint Interim Committee be composed of the following members:

- (1) Two majority party members and one minority party member of the House of Representatives to be appointed by the Speaker and Minority Leader of the House;
- (2) Two majority party members and one minority party member of the Senate to be appointed by the President Pro Tem and Minority Leader of the Senate;
- (3) One representative from the Governor's Office;
- (4) One representative from the State Personnel Advisory Board; and
- (5) Two members of the public, with one to be appointed by the Speaker of the House and one to be appointed by the President Pro Tem of the Senate; and

BE IT FURTHER RESOLVED, that the Joint Interim Committee may solicit input and information necessary to fulfill its obligations including, but not limited to, soliciting input and information from any state department or agency the Joint Interim Committee deems relevant



and the general public; and

BE IT FURTHER RESOLVED, that the staff of House Appropriations, Senate Appropriations, House Research, Senate Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Joint Interim Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED, that the actual and necessary expenses of the Joint Interim Committee, its members, and any staff assigned to the Joint Interim Committee incurred by the Joint Interim Committee shall be paid by the Senate's Joint Contingent Expenses appropriation.

In which the concurrence of the Senate is respectfully requested.

Senator Nieves assumed the Chair.

### **HOUSE BILLS ON SECOND READING**

The following Bills were read the 2nd time and referred to the Committees indicated:

**HCS for HB 1690**—General Laws.

**HCS for HB 1078**—Commerce, Consumer Protection, Energy and the Environment.

**HCS for HB 1336**—Small Business, Insurance and Industry.

**HCS for HB 1882**—Seniors, Families and Pensions.

**HB 1615**—Jobs, Economic Development and Local Government.

**HB 1998**—Agriculture, Food Production and Outdoor Resources.

**HCS No. 2 for HBs 1100 and 1421**—Small Business, Insurance and Industry.

**HCS for HB 1250**—Education.

**HCS for HB 2125**—Veterans' Affairs and Health.

**HCS for HB 1377**—Education.

**HB 1883**—Rules, Joint Rules, Resolutions and Ethics.

**HCS for HB 1124**—Transportation and Infrastructure.

**HCS for HB 1689**—Education.

**HCS for HB 1739**—Financial and Governmental Organizations and Elections.

**HB 1865**—Ways and Means.

**HCS for HB 1801**—Small Business, Insurance and Industry.

**HCS for HB 1308**—Education.

**HB 1574**—Governmental Accountability and Fiscal Oversight.

**HB 2193**—Jobs, Economic Development and Local Government.

**HCS for HB 2130**—Financial and Governmental Organizations and Elections.

**HB 1906**—Judiciary and Civil and Criminal Jurisprudence.

**HB 1174**—Financial and Governmental Organizations and Elections.

**HCS for HB 2271**—Financial and Governmental Organizations and Elections.

## COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

April 22, 2014

Ms. Terry Spieler  
Secretary of the Senate  
State Capitol Building  
Jefferson City, MO 65101

Dear Ms. Spieler

Pursuant to Senate Rule 31, I am establishing the following Senate Select Committee:

**Senate Select Committee on Capital Improvements** to monitor proposed state-funded capital improvement projects; monitor new construction on state buildings and state-funded capital improvement projects; and monitor all leases and proposed leases of real property funded with state moneys.

This committee, to be named at a later date, shall consist of five members, three of the majority party and two of the minority party.

This committee also shall consist of the secretary of the senate and the senate administrator as non-voting ex-officio members.

This committee shall be staffed by counsel from Senate Research and may hold public hearings at locations to be determined by the chairman. Reasonable, actual, and necessary expenses of this committee shall be reimbursed by the Missouri Senate.

The committee shall issue a report as to their findings and recommendations, as deemed necessary by a majority of the members of the committee, to the president pro tempore no later than September 1, 2014.

If you have any questions, please contact me at your earliest convenience.

Sincerely,



Tom Dempsey  
President Pro Tem

Also,

April 23, 2014

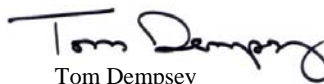
Terry Spieler  
Secretary of the Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

Due to my absence during the legislative day of Thursday, April 24, 2014, or until my return to the Missouri State Capitol Building, whichever occurs first, I authorize the Senate Majority Floor Leader to exercise the following duties:

- Refer bills to the Committee on Governmental Accountability and Fiscal Oversight for fiscal review.
- Receive reports of bills on the Senate Third Read calendar or House Bills on Third Read calendar that have received the committee's fiscal review.
- Receive the following reports from the chairman of the Senate Appropriations Committee: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013.

Sincerely,



Tom Dempsey

**RESOLUTIONS**

Senator Brown offered Senate Resolution No. 1911, regarding Todd Brian “T.J.” Messenger, Rolla, which was adopted.

Senator Brown offered Senate Resolution No. 1912, regarding the Fiftieth Anniversary of the Optimist Club, Rolla, which was adopted.

Senator Brown offered Senate Resolution No. 1913, regarding the One Hundred Fiftieth Anniversary of the First Presbyterian Church, Rolla, which was adopted.

Senator Richard offered Senate Resolution No. 1914, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Jack Vavra, Joplin, which was adopted.

Senator Schmitt offered Senate Resolution No. 1915, regarding Greg Vitello, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1916, regarding Adrian Paul Geisbuhler, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1917, regarding Russell Clark, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1918, regarding Tricia Knowles, Macon, which was adopted.

Senator Schaaf offered Senate Resolution No. 1919, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Dale Aring, which was adopted.

Senator Sifton offered Senate Resolution No. 1920, regarding Natalie Pistone, which was adopted.

Senator Walsh offered Senate Resolution No. 1921, regarding Jeffrey Charles Radichel, Florissant, which was adopted.

**INTRODUCTIONS OF GUESTS**

Senator Emery introduced to the Senate, Russ and Susan Hamilton, Union.

Senator Pearce introduced to the Senate, Vance DeLozier and Marion Woods, Warrensburg.

Senator Kehoe introduced to the Senate, Luke Gilliam, Rick Rao and Drew Seibel, St. Louis; and Luke, Rick and Drew were made honorary pages.

Senator Schaaf introduced to the Senate, Ronald D. Miller, Adriene Price, Barbara Winn, Christi Casey, Jane Shook Floyd and Carrie Fischer.

Senator Schaefer introduced to the Senate, Head Coach Jill Nagel; Assistant Coaches Rachel Backes, Meagan Halphin, Kate Reppe, Patty Thorne and Keener Tippin; and members of the 2013-2014 Class 5 State Champion Rock Bridge Girls Basketball team: Sophie Cunningham, Chayla Cheadle, Audrey Holt, Bri Porter, Cierra Porter, Kayla Cheadle, Taylor Dillard, Bri Ellis, Elexis Ferguson, Laurie Frew, Mubinah Khaleel, Kelsey Knorr, Carly Offerdahl and Avery Schroder.

On behalf of Senators Curls, Holsman, LeVota and herself, Senator Justus introduced to the Senate, former State Representative Paul G. Rojas, Kansas City.

On behalf of Senator Kehoe, the President introduced to the Senate, teachers Greg Stephens, Debbie Wagner, parents and fifth grade students from Linn Elementary School.

Senator Sifton introduced to the Senate, students from Edgewood School, Webster Groves.

On behalf of Senators Kraus, LeVota, Romine and himself, Senator Pearce introduced to the Senate, Head Coach Kim Anderson; Assistant Coaches Brad Loos, Nate Johnson, Bryce Brunz, Marcus Santoro and Dennis Larson; and members of the 2013-2014 NCAA Division II National Champion University of Central Missouri Men's Basketball team: Garrett Sandbothe, Ryan Magdziarz, Brad Woodson, Preston Brunz, Joe Davis, Brennen Hughes, Daylen Robinson, TJ White, Jordan Epps, Jon Gilliam, Charles Hammork, Connor Wheeler, Dillon Deck, Sean O'Brien, Ryan Donald and Kyle Wolf.

Senator LeVota introduced to the Senate, Mike Yonke, Kansas City.

Senator Sifton introduced to the Senate, representatives of Metropolitan Congregations United and Jobs with Justice.

Senator Dixon introduced to the Senate, Ken McClure, Debbie Donnellan, Kelly Evans, Andrea Freeman, Shelly Griesse, Jamie Henline, Matt Morris, Joe Nichols, Jean Ann Percy, Todd Sellers, Priscilla Skeeters, Teresa Steele, Rowena Stone and Lauren Calef, Missouri State University.

Senator Munzlinger introduced to the Senate, teacher Mrs. Conoyer, Andrea Scott and fourth grade students from Holy Family School, Hannibal; and Keaton Scott was made an honorary page.

Senator Curls introduced to the Senate, Judge Brian Wimes, his daughter, Saige, Lana Flores and Ava Cusamano, Kansas City; and Saige, Lana and Ava were made honorary pages.

On behalf of Senators Kehoe and Nieves, the President introduced to the Senate, Mike Gilliam, St. Louis.

On behalf of Senator Lager, the President introduced to the Senate, fourth grade students from Rock Port School District.

On behalf of Senator Sifton and himself, Senator Emery introduced to the Senate, Hannah Clements, St. Louis.

Senator Wasson introduced to the Senate, the Physician of the Day, William Reynolds, M.D., Springfield.

Senator Romine introduced to the Senate, George T. Jones, his son, Thomas, and representatives of Potosi FFA.

Senator Parson introduced to the Senate, Whitney Choate and Denver McGinnis, Bolivar.

On motion of Senator Richard, the Senate adjourned under the rules.

## SENATE CALENDAR

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FIFTY-SEVENTH DAY—THURSDAY, APRIL 24, 2014

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## FORMAL CALENDAR

## THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt (In  
Fiscal Oversight)

SS for SCS for SB 850-Munzlinger (In  
Fiscal Oversight)

SS for SB 795-Lager

SS for SB 884-Wallingford

SB 958-Nieves (In Fiscal Oversight)

SS for SB 692-Wasson

## SENATE BILLS FOR PERFECTION

1. SB 858-Kraus

2. SB 669-Schaaf

3. SB 821-Schaefer

4. SB 823-Dixon, et al, with SCS

5. SB 973-Brown

6. SB 815-Pearce, with SCS

7. SBs 798 & 514-Emery, with SCS

8. SB 865-Nieves

9. SB 619-Nieves, with SCS

10. SB 531-Nasheed

## HOUSE BILLS ON THIRD READING

1. HJR 68-Hinson and Schatz (In Fiscal  
Oversight)

2. HCS for HB 1201, with SCS

3. HB 1490-Bahr, et al, with SCS

4. HCS for HB 1729

5. HB 1132-Engler, et al, with SCS

6. HCS for HB 1459

7. HCS for HB 1439, with SCS

8. HB 1126-Dugger and Entlicher, with SCS

9. HB 1238-Hinson, with SCS

10. HCS for HB 1710

11. HCS for HB 1237

12. HCS for HB 2040

13. HB 1430-Jones (110), et al

14. HB 1092-Lant, et al, with SCS

15. HB 1184-Grisamore (Justus)

16. HCS for HB 1217, with SCS  
(Cunningham)

17. HCS for HRB 1299, with SCS

18. HB 1359-Flanigan

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 490-Lager and Kehoe, with SCS	SB 724-Parson
SB 494-Pearce, with SS (pending)	SB 739-Romine, with SCS, SS for SCS, SA 1 & SA 1 to SA 1 (pending)
SB 501-Keaveny	SB 755-Wallingford
SB 518-Sater, with SCS, SA 2 & SA 1 to SA 2 (pending)	SB 762-Schaefer, with SCS
SB 519-Sater, with SS & SA 1 (pending)	SB 769-Pearce, with SCS
SB 538-Keaveny and Holsman	SB 770-Wallingford, with SCS
SS for SB 543-Munzlinger	SBs 787 & 804-Justus, with SCS
SB 550-Sater, with SCS	SB 790-Dixon
SB 553-Emery, with SCS (pending)	SB 814-Brown
SB 555-Nasheed, with SS & SA 1 (pending)	SB 819-Wallingford, with SCS
SB 566-Sifton	SB 830-Parson
SB 573-Munzlinger, with SCS	SBs 836 & 800-Munzlinger, with SCS
SB 578-Kraus	SB 846-Richard
SB 589-Brown, with SCS, SA 2 & SA 1 to SA 2 (pending)	SB 848-LeVota, with SCS
SB 617-Parson, with SCS, SS for SCS & SA 1 (pending)	SB 875-Sater, with SCS
SB 634-Parson, with SCS	SB 887-Schaefer
SB 641-Emery	SB 888-Parson, with SCS
SB 644-LeVota	SB 912-Wasson and Justus, with SCS (pending)
SB 659-Wallingford, with SCS	SB 919-Justus
SB 663-Munzlinger, with SCS	SB 966-Lager
SB 671-Sater	SJR 25-Lager, with SS, SA 2 & SA 1 to SA 2 (pending)
SB 712-Walsh, with SCS & SS for SCS (pending)	SJR 26-Lager, with SS & SA 1 (pending)
	SJR 34-Emery
	SJR 42-Schmitt, with SS (pending)

HOUSE BILLS ON THIRD READING

HB 1173-Burlison, et al, with SA 1 & SA 1 to SA 1 (pending) (Brown)	HCS for HB 1501, with SS (pending) (Schmitt)
HCS for HB 1295, with SCS (Kraus)	HCS for HJR 47 (Kraus)
HB 1495-Torpey and Hicks, with SCS & SS for SCS (pending) (Dixon)	HJR 72-Richardson, et al (Silvey)

## CONSENT CALENDAR

## House Bills

## Reported 4/10

HCS for HB 1426 (Schmitt)  
HCS for HB 1376 (Keaveny)

HCS for HB 1523 (Pearce)  
HB 1602-Engler and Black (Romine)

## Reported 4/15

HB 1968-Gosen, with SCS (Wasson)  
HB 1245-Hampton, et al (Libla)  
HCS for HB 1510 (Brown)  
HB 1656-Neely and Hurst (Romine)  
HB 1724-Davis and Lynch

HB 1301-Neth (Silvey)  
HB 1835-Haar, et al (Dixon)  
HB 1064-Grisamore (Schmitt)  
HB 1081-McCaherty, et al (Romine) (In  
Fiscal Oversight)

## RESOLUTIONS

## To be Referred

HCS for HCR 38

HCS for HCR 45

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# Journal of the Senate

## SECOND REGULAR SESSION

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**FIFTY-SEVENTH DAY—THURSDAY, APRIL 24, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“A man who governs his passions is master of the world. We must either command them, or be enslaved by them. It is better to be a hammer than an anvil.” (St. Dominic)

Merciful Father, You know we are tired and at this time of the year our patience gets thin and our frustrations increase. So help us govern our passions so what we say is kind and conveys the meaning of what we are attempting to do here. May we deal fairly and openly with one another and work the work You would have us complete. May that be even more true as we arrive home and be with loved ones. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

Absent—Senators—None

Absent with leave—Senators

Dempsey      Nasheed—2

Vacancies—2

The Lieutenant Governor was present.



**RESOLUTIONS**

Senator Romine offered Senate Resolution No. 1922, regarding Linda Pinkston, which was adopted.

Senator Romine offered Senate Resolution No. 1923, regarding Frances Aubushon, which was adopted.

Senator Romine offered Senate Resolution No. 1924, regarding Susan Heuer, which was adopted.

Senator Romine offered Senate Resolution No. 1925, regarding Terry Joyner, which was adopted.

**CONCURRENT RESOLUTIONS**

Senator Sater offered the following concurrent resolution:

**SENATE CONCURRENT RESOLUTION NO. 43**

Whereas, on August 7, 1964, the United States Congress passed the Gulf of Tonkin Resolution authorizing the President to take any measures necessary to defend United States forces and promote the maintenance of international peace and security in Southeast Asia; and

Whereas, between 1965 and 1969 American troops strength in Vietnam rose from 60,000 to over 543,000, with approximately a total of 2,700,000 American men and women serving in Vietnam by the end of the war; and

Whereas, the United States suffered casualties of over 58,000 men and women, with 1,410 of those soldiers killed being Missouri citizens who sacrificed their lives in some of the most horrific conditions in the history of warfare; and

Whereas, the people of Missouri wish to properly honor and thank Vietnam War Veterans and their families for their sacrifice and bravery; and

Whereas, war memorials are important reminders that freedom is not free and the soon to be constructed Vietnam Veterans Memorial located on the College of the Ozarks Campus will be dedicated to perpetuate the appreciation and legacy of Vietnam War Veterans present and past; and

Whereas, Branson, Missouri is known by many as the “Veterans Capital of the Nation” hosting America’s largest Veterans Day celebration every year, as well as the Vietnam Veterans “Welcome Home Celebration,” and Branson is home to the Veterans Memorial Museum; and

Whereas, the College of the Ozarks, located only a few miles from Branson, has pledged to fully fund the construction of the Vietnam Veterans Memorial designed by the College’s Graphic Design Class; and

Whereas, it is appropriate to honor the Vietnam War Veterans from the state of Missouri by recognizing the Vietnam Veterans Memorial, which is to be constructed on the College of the Ozarks Campus, as the official Vietnam War Memorial of the state of Missouri:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby recognize the Vietnam Veterans Memorial which is to be constructed on the College of the Ozarks Campus in Point Lookout, Missouri as the official Vietnam War Memorial of Missouri; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the College of the Ozarks and the Vietnam Veterans Chapter 913 in Branson, Missouri.

**REPORTS OF STANDING COMMITTEES**

On behalf of Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, Senator Kehoe submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 866** and **SB 964**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

**MESSAGES FROM THE HOUSE**

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 30**.

HOUSE CONCURRENT RESOLUTION NO. 30

WHEREAS, domestically produced coal has been and continues to be used as a fuel to produce over 80% of the electricity generated by the state's investor-owned electric utilities, municipally owned utilities, and rural electric cooperatives; and

WHEREAS, the state's heavy reliance on coal as a fuel source for Missouri's base-load electric generation is due primarily to coal being abundant, available, reliable, and comparatively much less expensive than virtually all other available fuels; and

WHEREAS, on June 25, 2013, the President of the United States issued a memorandum to the Administrator of the United States Environmental Protection Agency directing the EPA to:

(1) Move forward with a new proposal to implement national standards for carbon dioxide (CO<sub>2</sub>) emissions from the new fossil fuel-fired electric power plants by issuing a proposed rule no later than September 20, 2013;

(2) Use the EPA's authority under Sections 111(b) and 111(d) of the federal Clean Air Act to issue no later than June 1, 2014, standards, regulations, or guidelines that address carbon pollution from modified, reconstructed, and existing power plants; and

WHEREAS, the EPA already has issued its proposed rules and regulations for new fossil fuel-fired electric power plants and is expected to issue its proposed rules and regulations for existing fossil fuel-fired power plants by June 1, 2014, with implementation by June 2015; and

WHEREAS, the EPA's proposed regulations for new power plants would require all new coal-fired electric power plants to utilize carbon capture and storage (CCS) technology, otherwise known as "sequestration", to capture and store CO<sub>2</sub> underground in order to meet the EPA's new stringent emission limits, even though such sequestration technology is not yet economical or even widely commercially available; and

WHEREAS, according to the Congressional Budget Office, engineers have estimated this sequestration technology would increase the cost of producing electricity from new coal-fired electric power plants by 75%; and

WHEREAS, a significant amount of additional electricity, estimated to be approximately 30% or more and known in the industry as "parasite load", would have to be generated by the power plant solely for the purpose of operating such new sequestration technology, making such additional power unavailable for use but still paid for by Missouri's electric consumers; and

WHEREAS, even the EPA admits that "today's CCS technologies would add around 80% to the cost of electricity for a new pulverized coal (PC) plant"; and

WHEREAS, these regulations in practical effect will make it economically impossible to build new coal-fired electric power plants in the future in order to meet the future electric generation needs of Missourians; and

WHEREAS, these regulations will in effect completely remove coal as a domestic, abundant, reliable, and affordable fuel source for electric generation in the future; and

WHEREAS, a reliable, affordable energy supply is vital to the nation's future economic growth, security, and quality of life; and

WHEREAS, it should be clear public policy of the United States to pursue an "all of the above" approach by promoting, and not discouraging or eliminating, any one or more domestic potential fuel source for electric generation by new or existing power plants; and

WHEREAS, the EPA's proposed regulations for existing power plants, while not yet made public, can reasonably be expected to follow the approach taken by the EPA in its proposed rules for new plants, and in any event, certainly will be designed to drastically reduce CO<sub>2</sub> emissions from existing coal-fired electric power plants; and

WHEREAS, stricter emission standards imposed by the EPA on Missouri's existing coal-fired electric power plants necessarily will translate into higher electric costs that necessarily must be paid for by all Missouri consumers, either directly in higher electric rates, or indirectly through higher costs for other goods and services; and

WHEREAS, higher electric rates translate into an economic competitive disadvantage for Missouri and added economic stress in an already struggling state economy; and

WHEREAS, electric rate increases in recent years continue to be a heavy burden for customers served by the state's investor-owned and municipally-owned electric utilities, especially low-income residential customers, small businesses, and large manufacturers who are struggling to survive in an increasingly competitive world market; and

WHEREAS, increasing costs for electricity will hit especially hard residential electric users living in rural Missouri who are served by Missouri's electric cooperatives where 50% of electric cooperative members are over 55 years old, 37% are retired or on a fixed income, 40% have gross household incomes of less than \$50,000 per year, and 16% make less than \$25,000 per year; and

WHEREAS, approximately 40 million American families nationally earn less than \$30,000 per year and spend almost 20% of their budgets on energy costs; and

WHEREAS, Missouri currently enjoys some of the lowest electric rates in the nation due to its reliance on coal-fired electric generation while other states that do not rely on coal have some of the highest electric rates; and

WHEREAS, many states have implemented mandatory or voluntary renewable portfolio/energy standards, implemented energy efficient or peak load reduction programs, experienced significant retirements of coal-based generating plants, or mandated emission reduction programs - all of which have already contributed to a reduction in greenhouse gas emissions; and

WHEREAS, each state has different needs and should be permitted to primarily rely on its own state utility and environmental regulators to craft and implement emission performance systems that reflect the policies, energy needs, fuel resource mix, and unique economic considerations of each state and region:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urge the Environmental Protection Agency to use some basic common sense and reject any federal fossil fuel emission rules or regulations that would have the practical effect of removing coal as a viable fuel option for both new and existing electric generation in the State of Missouri and elsewhere, and to adopt only such rules and regulations that allow state utility and environmental regulators maximum flexibility and discretion in implementing the same; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Gina McCarthy, Administrator of the Environmental Protection Agency, and each member of the Missouri Congressional delegation.

### THIRD READING OF SENATE BILLS

**SS for SB 795**, introduced by Senator Lager, entitled:

#### SENATE SUBSTITUTE FOR SENATE BILL NO. 795

An Act to repeal section 161.216, RSMo, and to enact in lieu thereof one new section relating to early childhood education.

Was taken up.

On motion of Senator Lager, **SS for SB 795** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	Libla	Munzlinger	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Silvey
Wallingford	Wasson—26						

#### NAYS—Senators

Keaveny	LeVota	Sifton	Walsh—4
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#### Absent—Senators—None

#### Absent with leave—Senators

Dempsey	Nasheed—2
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#### Vacancies—2

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Kraus assumed the Chair.

**SS for SB 884**, introduced by Senator Wallingford, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 884

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance for dental services.

Was taken up.

On motion of Senator Wallingford, **SS for SB 884** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Dempsey      Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS for SB 692**, introduced by Senator Wasson, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 692

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage for optometric and ophthalmic services and materials.

Was taken up.

On motion of Senator Wasson, **SS** for **SB 692** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Emery	Holsman	Keaveny	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Wasson—27					

NAYS—Senator Curls—1

Absent—Senators

Justus                Walsh—2

Absent with leave—Senators

Dempsey            Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### SENATE BILLS FOR PERFECTION

Senator Emery moved that **SB 553**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SCS** for **SB 553** was again taken up.

Senator Emery offered **SS** for **SCS** for **SB 553**, entitled:

#### SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 553

An Act to repeal sections 208.909 and 660.023, RSMo, and to enact in lieu thereof two new sections relating to the requirement for an electronic verification system for certain home and community-based providers.

Senator Emery moved that **SS** for **SCS** for **SB 553** be adopted.

Senator Emery offered **SA 1**, which was read:

#### SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 553, Page 5, Section 208.909, Line 23 of said page, by striking the words “consumer directed” and inserting in lieu thereof the following: “**consumer-directed**”; and

Further amend said bill, page 9, section 660.023, line 15 of said page, by striking the word “telephony” and inserting in lieu thereof the following: “**electronic system**”; and further amend line 25 of said page, by striking “in-home” and inserting in lieu thereof the following: “**home- and community-based**”.

Senator Emery moved that the above amendment be adopted.

At the request of Senator Emery, **SB 553**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

### HOUSE BILLS ON THIRD READING

**HCS** for **HB 1426**, entitled:

An Act to amend chapter 44, RSMo, by adding thereto one new section relating to personal identifying information in disasters or emergencies.

Was called from the Consent Calendar and taken up by Senator Schmitt.

On motion of Senator Schmitt, **HCS** for **HB 1426** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

#### NAYS—Senators—None

#### Absent—Senator Justus—1

#### Absent with leave—Senators

Dempsey      Nasheed—2

#### Vacancies—2

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 1376**, entitled:

An Act to repeal sections 400.9-102, 400.9-105, 400.9-311, 400.9-317, 400.9-326, 400.9-503, 400.9-507, 400.9-516, 400.9-607, 400.9-802, 400.9-805, 400.9-806, and 400.2A-103, RSMo, and to enact in lieu thereof thirteen new sections relating to secured transactions.

Was called from the Consent Calendar and taken up by Senator Keaveny.

On motion of Senator Keaveny, **HCS** for **HB 1376** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

## NAYS—Senators—None

## Absent—Senator Justus—1

## Absent with leave—Senators

Dempsey	Nasheed—2
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## Vacancies—2

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS for HB 1523**, entitled:

An Act to repeal section 402.134, RSMo, and to enact in lieu thereof one new section relating to endowment funds, with an emergency clause.

Was called from the Consent Calendar and taken up by Senator Pearce.

On motion of Senator Pearce, **HCS for HB 1523** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

## NAYS—Senators—None

## Absent—Senator Justus—1

## Absent with leave—Senators

Dempsey	Nasheed—2
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## Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt

Sifton                      Silvey                      Wallingford                      Walsh                      Wasson—29

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senators

Dempsey                      Nasheed—2

Vacancies—2

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Schaaf moved that motion lay on the table, which motion prevailed.

**HB 1602**, introduced by Representatives Engler and Black, entitled:

An Act to authorize the conveyance of property owned by the state in St. Francois County to the City of Farmington.

Was called from the Consent Calendar and taken up by Senator Romine.

On motion of Senator Romine, **HB 1602** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senators

Dempsey                      Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 1968**, introduced by Representative Gosen, with **SCS**, entitled:



An Act to repeal sections 354.465, 375.1250, 375.1252, 375.1255, 375.1257, 375.1260, 375.1262, 375.1265, 375.1267, 375.1269, 375.1270, 375.1272, and 375.1275, RSMo, and to enact in lieu thereof thirteen new sections relating to health organizations.

Was called from the Consent Calendar and taken up by Senator Wasson.

**SCS** for **HB 1968**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1968

An Act to repeal sections 354.465, 375.1250, 375.1252, 375.1255, 375.1257, 375.1260, 375.1262, 375.1265, 375.1267, 375.1269, 375.1270, 375.1272, and 375.1275, RSMo, and to enact in lieu thereof thirteen new sections relating to health organizations.

Was taken up.

Senator Wasson moved that **SCS** for **HB 1968** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **HB 1968** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senators

Dempsey      Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 1245**, introduced by Representative Hampton, et al, entitled:

An Act to repeal section 208.275 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill no. 555 merged with senate substitute no. 2 for house bill no. 648, ninety-sixth general assembly, first regular session and section 208.275 as enacted by senate committee substitute for house committee substitute for house bill no. 464, ninety-sixth general assembly, first regular session, and section 301.580 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly,

second regular session, and section 301.3166 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 301.3168 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 301.3170 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 350.016 as enacted by house committee substitute for senate bill no. 84, eighty-seventh general assembly, first regular session, and section 390.280 as enacted by conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470, ninety-sixth general assembly, second regular session, and section 407.300 as enacted by conference committee substitute for senate committee substitute for house bill no. 103, ninety-seventh general assembly, first regular session, and section 476.055 as enacted by conference committee substitute for house committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, for the sole purpose of repealing multiple versions of statutes.

Was called from the Consent Calendar and taken up by Senator Libla.

On motion of Senator Libla, **HB 1245** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senators

Dempsey      Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Libla, title to the bill was agreed to.

Senator Libla moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

**HB 1656**, introduced by Representatives Neely and Hurst, entitled:

An Act to repeal section 194.255, RSMo, and to enact in lieu thereof one new section relating to anatomical gifts.

Was called from the Consent Calendar and taken up by Senator Romine.

On motion of Senator Romine, **HB 1656** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Dempsey      Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 1301**, introduced by Representative Neth, entitled:

An Act to repeal sections 86.900 and 86.1220, RSMo, and to enact in lieu thereof two new sections relating to Kansas City police retirement systems.

Was called from the Consent Calendar and taken up by Senator Silvey.

On motion of Senator Silvey, **HB 1301** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Dempsey      Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Silvey, title to the bill was agreed to.

Senator Silvey moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 1835**, introduced by Representative Haahr, et al, entitled:

An Act to repeal section 209.040, RSMo, and to enact in lieu thereof one new section relating to blind pension benefit requirements.

Was called from the Consent Calendar and taken up by Senator Dixon.

On motion of Senator Dixon, **HB 1835** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Dempsey      Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 1064**, introduced by Representative Grisamore, entitled:

An Act to repeal sections 178.656, 197.315, 205.968, 208.215, 208.275, as enacted by senate committee substitute for house committee substitute for house bill no. 464, ninety-sixth general assembly, first regular session, 210.211, 210.516, 211.202, 211.203, 226.805, 287.812, 376.810, 475.010, 475.120, 475.355, 552.040, 563.033, 565.030, 630.003, 630.005, 630.130, 630.340, 630.705, 633.020, 633.105, 633.170, 633.401, 660.075, and 660.405, RSMo, and to enact in lieu thereof twenty-nine new sections relating to individuals with disabilities.

Was called from the Consent Calendar and taken up by Senator Schmitt.

On motion of Senator Schmitt, **HB 1064** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Dempsey      Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Richard assumed the Chair

### REPORTS OF STANDING COMMITTEES

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2001**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2002**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2003**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2004**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2005**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2006**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2007**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2008**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2009**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2010**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2011**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2012**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2013**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

### **MESSAGES FROM THE HOUSE**

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 491**, entitled:

An Act to repeal sections 32.057, 105.478, 115.631, 142.909, 142.911, 143.1001, 143.1003, 149.200, 160.261, 167.115, 167.171, 168.071, 188.030, 190.621, 191.905, 191.914, 193.315, 194.410, 194.425, 195.005, 195.010, 195.015, 195.016, 195.017, 195.025, 195.030, 195.040, 195.050, 195.060, 195.080, 195.100, 195.110, 195.130, 195.135, 195.140, 195.150, 195.180, 195.190, 195.195, 195.198, 195.202, 195.204, 195.211, 195.212, 195.213, 195.214, 195.217, 195.218, 195.219, 195.222, 195.223, 195.226,

195.233, 195.235, 195.241, 195.242, 195.246, 195.248, 195.252, 195.254, 195.256, 195.275, 195.280, 195.285, 195.291, 195.292, 195.295, 195.296, 195.367, 195.369, 195.371, 195.375, 195.417, 195.418, 195.420, 195.501, 195.503, 195.505, 195.507, 195.509, 195.511, 195.515, 196.979, 197.266, 197.326, 198.015, 198.070, 198.097, 198.158, 205.965, 210.117, 210.165, 210.1012, 217.010, 211.038, 214.410, 217.360, 217.364, 217.385, 217.400, 217.405, 217.541, 217.542, 217.543, 217.692, 217.703, 217.735, 217.785, 221.025, 221.111, 221.353, 252.235, 253.080, 260.207, 260.208, 260.211, 260.212, 270.260, 276.421, 276.536, 277.180, 285.306, 285.308, 287.128, 287.129, 288.250, 288.395, 301.390, 301.400, 301.401, 301.570, 301.640, 302.015, 302.020, 302.309, 302.321, 302.500, 302.540, 302.541, 302.605, 302.700, 302.705, 302.710, 302.727, 302.745, 302.750, 302.755, 302.780, 303.024, 303.025, 304.070, 306.110, 306.111, 306.112, 306.114, 306.116, 306.117, 306.118, 306.119, 306.141, 306.420, 311.325, 313.004, 313.040, 313.290, 313.550, 313.660, 313.830, 317.018, 320.089, 320.161, 324.1142, 324.1148, 334.250, 335.096, 338.195, 338.315, 338.370, 354.320, 362.170, 367.031, 367.045, 374.210, 374.216, 374.702, 374.757, 374.789, 375.310, 375.537, 375.720, 375.786, 375.991, 375.1176, 375.1287, 380.391, 382.275, 389.653, 407.020, 407.095, 407.420, 407.436, 407.516, 407.521, 407.536, 407.544, 407.740, 407.1082, 407.1252, 411.260, 411.287, 411.371, 411.517, 411.770, 413.229, 429.012, 429.013, 429.014, 436.485, 443.810, 443.819, 453.110, 455.085, 455.538, 542.402, 544.665, 556.011, 556.016, 556.021, 556.022, 556.026, 556.036, 556.037, 556.041, 556.046, 556.051, 556.056, 556.061, 556.063, 557.016, 557.021, 557.026, 557.031, 557.035, 557.036, 557.041, 557.046, 558.011, 558.016, 558.018, 558.019, 558.031, 558.041, 558.046, 559.012, 559.021, 559.036, 559.100, 559.106, 559.110, 559.115, 559.120, 559.125, 559.600, 559.604, 559.633, 560.011, 560.016, 560.021, 560.026, 560.031, 560.036, 561.016, 561.021, 561.026, 562.011, 562.016, 562.031, 562.036, 562.041, 562.051, 562.056, 562.061, 562.066, 562.071, 562.076, 562.086, 563.021, 563.026, 563.046, 563.051, 563.056, 563.061, 563.070, 564.011, 564.016, 565.002, 565.004, 565.021, 565.023, 565.024, 565.025, 565.035, 565.050, 565.060, 565.063, 565.065, 565.070, 565.072, 565.073, 565.074, 565.075, 565.080, 565.081, 565.082, 565.083, 565.084, 565.085, 565.086, 565.090, 565.092, 565.095, 565.100, 565.110, 565.115, 565.120, 565.130, 565.140, 565.149, 565.150, 565.153, 565.156, 565.160, 565.163, 565.165, 565.169, 565.180, 565.182, 565.184, 565.186, 565.188, 565.190, 565.200, 565.210, 565.212, 565.214, 565.216, 565.218, 565.220, 565.225, 565.250, 565.252, 565.253, 565.255, 565.300, 565.350, 566.010, 566.013, 566.020, 566.023, 566.030, 566.031, 566.032, 566.034, 566.060, 566.061, 566.062, 566.064, 566.067, 566.068, 566.083, 566.086, 566.093, 566.100, 566.101, 566.111, 566.135, 566.140, 566.141, 566.145, 566.147, 566.148, 566.149, 566.150, 566.151, 566.153, 566.155, 566.203, 566.206, 566.209, 566.212, 566.213, 566.215, 566.218, 566.221, 566.224, 566.226, 566.265, 567.010, 567.020, 567.030, 567.040, 567.050, 567.060, 567.070, 567.080, 567.085, 567.087, 567.110, 567.120, 568.010, 568.020, 568.030, 568.032, 568.040, 568.045, 568.050, 568.052, 568.060, 568.065, 568.070, 568.080, 568.090, 568.100, 568.110, 568.120, 568.175, 569.010, 569.020, 569.025, 569.030, 569.035, 569.040, 569.050, 569.055, 569.060, 569.065, 569.067, 569.070, 569.072, 569.080, 569.090, 569.094, 569.095, 569.097, 569.099, 569.100, 569.120, 569.140, 569.145, 569.150, 569.155, 569.160, 569.170, 569.180, 570.010, 570.020, 570.030, 570.033, 570.040, 570.050, 570.055, 570.070, 570.080, 570.085, 570.087, 570.090, 570.100, 570.103, 570.110, 570.120, 570.123, 570.125, 570.130, 570.135, 570.140, 570.145, 570.150, 570.155, 570.160, 570.170, 570.180, 570.190, 570.200, 570.210, 570.215, 570.217, 570.219, 570.220, 570.222, 570.223, 570.224, 570.225, 570.226, 570.230, 570.235, 570.240, 570.241, 570.245, 570.255, 570.300, 570.310, 570.380, 572.010, 572.020, 572.030, 572.040, 572.050, 572.060, 572.070, 572.110, 572.120, 573.010, 573.013, 573.020, 573.023, 573.025, 573.030, 573.035, 573.037, 573.040, 573.050, 573.052, 573.060, 573.065, 573.090, 573.100, 573.500, 573.509, 573.528, 573.531, 574.010, 574.020, 574.030, 574.035, 574.040, 574.050,

574.060, 574.070, 574.075, 574.085, 574.105, 574.115, 575.020, 575.021, 575.030, 575.040, 575.050, 575.060, 575.070, 575.080, 575.090, 575.100, 575.110, 575.120, 575.130, 575.145, 575.150, 575.153, 575.159, 575.160, 575.170, 575.180, 575.190, 575.195, 575.200, 575.205, 575.206, 575.210, 575.220, 575.230, 575.240, 575.250, 575.260, 575.270, 575.280, 575.290, 575.300, 575.310, 575.320, 575.350, 575.353, 576.010, 576.020, 576.030, 576.040, 576.050, 576.060, 576.070, 576.080, 577.001, 577.005, 577.006, 577.010, 577.012, 577.017, 577.020, 577.021, 577.023, 577.026, 577.029, 577.031, 577.037, 577.039, 577.049, 577.051, 577.052, 577.054, 577.060, 577.065, 577.068, 577.070, 577.071, 577.073, 577.075, 577.076, 577.080, 577.090, 577.100, 577.105, 577.110, 577.150, 577.155, 577.160, 577.161, 577.201, 577.203, 577.206, 577.208, 577.211, 577.214, 577.217, 577.221, 577.500, 577.505, 577.510, 577.515, 577.520, 577.525, 577.530, 577.600, 577.602, 577.604, 577.606, 577.608, 577.610, 577.612, 577.614, 577.625, 577.628, 577.675, 577.680, 578.008, 578.009, 578.012, 578.018, 578.021, 578.023, 578.024, 578.025, 578.027, 578.028, 578.029, 578.030, 578.050, 578.075, 578.095, 578.150, 578.151, 578.152, 578.153, 578.154, 578.173, 578.176, 578.200, 578.205, 578.210, 578.215, 578.220, 578.225, 578.250, 578.255, 578.260, 578.265, 578.300, 578.305, 578.310, 578.315, 578.320, 578.325, 578.330, 578.350, 578.353, 578.360, 578.363, 578.365, 578.375, 578.377, 578.379, 578.381, 578.383, 578.385, 578.387, 578.389, 578.390, 578.392, 578.405, 578.407, 578.409, 578.412, 578.414, 578.416, 578.418, 578.420, 578.421, 578.425, 578.430, 578.433, 578.437, 578.445, 578.450, 578.510, 578.520, 578.525, 578.530, 578.570, 578.614, 589.015, 589.400, 589.425, 590.700, 610.125, 630.155, 630.165, 632.480, 660.250, 660.255, 660.260, 660.261, 660.263, 660.265, 660.270, 660.275, 660.280, 660.285, 660.290, 660.295, 660.300, 660.305, 660.310, 660.315, 660.317, 660.320, 660.321, and 701.320, RSMo, section 130.028 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.028 as enacted by conference committee substitute for house committee substitute for senate bill no. 650, eighty-ninth general assembly, second regular session, section 130.031 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 302.060 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session, section 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402 merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, section 302.304 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session, section 302.304 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, section 476.055 as enacted by senate committee substitute for house bill no. 1460 merged with conference committee substitute for house committee substitute for senate bill no. 628, ninety-sixth general assembly, second regular session, section 476.055 as enacted by conference committee substitute for house committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, section 577.041 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session, and section 577.041 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill nos. 1695, 1742 & 1672, ninety-fifth general assembly, second regular session, and to enact in lieu thereof six hundred eighty-five new sections for the sole purpose of restructuring the Missouri criminal code, with penalty provisions and an effective date.



With House Amendment No. 1.

### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 491, Page 339, Section 566.031, Line 4, by deleting the letter “**E**” on said line, and inserting in lieu thereof the letter “**D**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

### PRIVILEGED MOTIONS

Senator Justus moved that **SS** for **SCS** for **SB 491**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SS** for **SCS** for **SB 491**, as amended, was taken up.

Senator Justus moved that **HCS** for **SS** for **SCS** for **SB 491**, as amended, be adopted, which motion prevailed by the following vote:

#### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

#### NAYS—Senators

Schaefer Schmitt—2

Absent—Senators—None

Absent with leave—Senators

Dempsey Nasheed—2

Vacancies—2

On motion of Senator Justus, **HCS** for **SS** for **SCS** for **SB 491**, as amended, was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

#### NAYS—Senators

Schaefer Schmitt—2

Absent—Senators—None

Absent with leave—Senators

Dempsey      Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Justus, title to the bill was agreed to.

Senator Justus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

### **INTRODUCTIONS OF GUESTS**

Senator Dixon introduced to the Senate, James and Shepard Drake, Springfield; and Shepard was made an honorary page.

Senator Cunningham introduced to the Senate, teachers, parents and students from Ozark Mennonite School, Seymour.

Senator Parson introduced to the Senate, Mike and Cleta Clark, Lowry City.

Senator Brown introduced to the Senate, teacher Gary Young and eleventh grade students from Waynesville Public School.

Senator Kehoe introduced to the Senate, teachers Cindy Wolken, Kim Schepers and Cathy Ferguson; Nicholas Jeffries and fourth grade students from Immaculate Conception School, Jefferson City.

Senator Pearce introduced to the Senate, Dennis Knipmeyer and John and Tammy Winter, Lafayette County.

Senator Romine introduced to the Senate, students from St. Joseph School, Farmington.

Senator Emery introduced to the Senate, teacher Ms. Holt, Theresa Munsterman and students from St. Mary's School, Montrose.

On behalf of Senator Dempsey, Senator Kehoe introduced to the Senate, teachers Kim Cluck, Jami Murray and seventh grade students from Zion Lutheran School, St. Charles.

Senator Lamping introduced to the Senate, the Physician of the Day, Mike Nayak, M.D., St. Louis.

On motion of Senator Kehoe, the Senate adjourned until 3:00 p.m., Monday, April 28, 2014.

### **SENATE CALENDAR**

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FIFTY-EIGHTH DAY—MONDAY, APRIL 28, 2014

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### **FORMAL CALENDAR**

### **THIRD READING OF SENATE BILLS**

SS for SCS for SB 666-Schmitt (In  
Fiscal Oversight)

SS for SCS for SB 850-Munzlinger (In  
Fiscal Oversight)

SB 958-Nieves (In Fiscal Oversight)  
SS for SB 866-Wasson

SB 964-Lager

#### SENATE BILLS FOR PERFECTION

- |                                  |                                  |
|----------------------------------|----------------------------------|
| 1. SB 858-Kraus                  | 6. SB 815-Pearce, with SCS       |
| 2. SB 669-Schaaf                 | 7. SBs 798 & 514-Emery, with SCS |
| 3. SB 821-Schaefer               | 8. SB 865-Nieves                 |
| 4. SB 823-Dixon, et al, with SCS | 9. SB 619-Nieves, with SCS       |
| 5. SB 973-Brown                  | 10. SB 531-Nasheed               |

#### HOUSE BILLS ON THIRD READING

- |  |   |
|--|---|
| 1. HJR 68-Hinson and Schatz (Kehoe)<br>(In Fiscal Oversight) | 16. HCS for HB 1217, with SCS<br>(Cunningham) |
| 2. HCS for HB 1201, with SCS                                 | 17. HCS for HRB 1299, with SCS (Lager)        |
| 3. HB 1490-Bahr, et al, with SCS (Emery)                     | 18. HB 1359-Flanigan (Kehoe)                  |
| 4. HCS for HB 1729 (Parson)                                  | 19. HCS for HB 2001 (Schaefer)                |
| 5. HB 1132-Engler, et al, with SCS                           | 20. HCS for HB 2002, with SCS (Schaefer)      |
| 6. HCS for HB 1459 (Romine)                                  | 21. HCS for HB 2003, with SCS (Schaefer)      |
| 7. HCS for HB 1439, with SCS                                 | 22. HCS for HB 2004, with SCS (Schaefer)      |
| 8. HB 1126-Dugger and Entlicher, with<br>SCS (Kraus)         | 23. HCS for HB 2005, with SCS (Schaefer)      |
| 9. HB 1238-Hinson, with SCS (Dixon)                          | 24. HCS for HB 2006, with SCS (Schaefer)      |
| 10. HCS for HB 1710 (Kraus)                                  | 25. HCS for HB 2007, with SCS (Schaefer)      |
| 11. HCS for HB 1237 (Schaaf)                                 | 26. HCS for HB 2008, with SCS (Schaefer)      |
| 12. HCS for HB 2040 (Brown)                                  | 27. HCS for HB 2009, with SCS (Schaefer)      |
| 13. HB 1430-Jones (110), et al                               | 28. HCS for HB 2010, with SCS (Schaefer)      |
| 14. HB 1092-Lant, et al, with SCS (Dixon)                    | 29. HCS for HB 2011, with SCS (Schaefer)      |
| 15. HB 1184-Grisamore (Justus)                               | 30. HCS for HB 2012, with SCS (Schaefer)      |
|  | 31. HCS for HB 2013, with SCS (Schaefer)      |

#### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

SB 490-Lager and Kehoe, with SCS  
SB 494-Pearce, with SS (pending)  
SB 501-Keaveny

SB 518-Sater, with SCS, SA 2 & SA 1 to  
SA 2 (pending)  
SB 519-Sater, with SS & SA 1 (pending)

SB 538-Keaveny and Holsman  
SS for SB 543-Munzlinger  
SB 550-Sater, with SCS  
SB 553-Emery, with SCS, SS for SCS & SA 1  
(pending)  
SB 555-Nasheed, with SS & SA 1 (pending)  
SB 566-Sifton  
SB 573-Munzlinger, with SCS  
SB 578-Kraus  
SB 589-Brown, with SCS, SA 2 & SA 1 to  
SA 2 (pending)  
SB 617-Parson, with SCS, SS for SCS & SA 1  
(pending)  
SB 634-Parson, with SCS  
SB 641-Emery  
SB 644-LeVota  
SB 659-Wallingford, with SCS  
SB 663-Munzlinger, with SCS  
SB 671-Sater  
SB 712-Walsh, with SCS & SS for SCS  
(pending)  
SB 724-Parson  
SB 739-Romine, with SCS, SS for SCS, SA 1  
& SA 1 to SA 1 (pending)

SB 755-Wallingford  
SB 762-Schaefer, with SCS  
SB 769-Pearce, with SCS  
SB 770-Wallingford, with SCS  
SBs 787 & 804-Justus, with SCS  
SB 790-Dixon  
SB 814-Brown  
SB 819-Wallingford, with SCS  
SB 830-Parson  
SBs 836 & 800-Munzlinger, with SCS  
SB 846-Richard  
SB 848-LeVota, with SCS  
SB 875-Sater, with SCS  
SB 887-Schaefer  
SB 888-Parson, with SCS  
SB 912-Wasson and Justus, with SCS  
(pending)  
SB 919-Justus  
SB 966-Lager  
SJR 25-Lager, with SS, SA 2 & SA 1 to SA 2  
(pending)  
SJR 26-Lager, with SS & SA 1 (pending)  
SJR 34-Emery  
SJR 42-Schmitt, with SS (pending)

#### HOUSE BILLS ON THIRD READING

HB 1173-Burlison, et al, with SA 1 & SA 1 to  
SA 1 (pending) (Brown)  
HCS for HB 1295, with SCS (Kraus)  
HB 1495-Torpey and Hicks, with SCS & SS  
for SCS (pending) (Dixon)

HCS for HB 1501, with SS (pending)  
(Schmitt)  
HCS for HJR 47 (Kraus)  
HJR 72-Richardson, et al (Silvey)

#### CONSENT CALENDAR

House Bills

Reported 4/15

HCS for HB 1510 (Brown)

HB 1724-Davis and Lynch

HB 1081-McCaherty, et al (Romine) (In  
Fiscal Oversight)

## RESOLUTIONS

To be Referred

SCR 43-Sater  
HCR 30-Franklin, et al

HCS for HCR 38  
HCS for HCR 45

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# Journal of the Senate

## SECOND REGULAR SESSION

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**FIFTY-EIGHTH DAY—MONDAY, APRIL 28, 2014**

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The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“To you, O Lord, I lift up my soul.” (Psalm 25:1)

Merciful Father, once again Missouri and our neighboring states have faced terrible and devastating storms. We ask You to abide with those who lost much and especially those who have sustained injury and those who have lost loved ones. Be an ever present help and allow Your mercy to dwell with them. Help us to know how we can be of assistance and a true neighbor. Give us the strength and wisdom to know what to do and words that provide comfort and hope. For we know there is hope for those who come in prayer to You and that You will provide what is truly needed. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 24, 2014 was read and approved.

Senator Richard announced photographers from The New York Times and KOMU-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Kehoe offered Senate Resolution No. 1926, regarding Braden Michael Remmert, which was adopted.

Senator Wallingford offered Senate Resolution No. 1927, regarding Sarah M. Pursley, which was adopted.

Senator Kehoe offered Senate Resolution No. 1928, regarding Georgann Kirkweg, Jefferson City, which was adopted.

Senator Libla offered Senate Resolution No. 1929, regarding Paulette Alexander, Poplar Bluff, which was adopted.

Senator Libla offered Senate Resolution No. 1930, regarding David C. Palmer, Poplar Bluff, which was adopted.

Senator Libla offered Senate Resolution No. 1931, regarding Gregory L. Hicks, Poplar Bluff, which was adopted.

Senator Libla offered Senate Resolution No. 1932, regarding Madelyn Wilson, Williamsville, which was adopted.

Senator Justus offered Senate Resolution No. 1933, regarding Alexandra Dunkin, which was adopted.

Senator Dempsey offered Senate Resolution No. 1934, regarding Cliff Heitmann, which was adopted.

Senator Dempsey offered Senate Resolution No. 1935, regarding TLD Concepts, Inc., which was adopted.

Senator Dempsey offered Senate Resolution No. 1936, regarding Molly O's Tropical Sno and Chili Shack, which was adopted.

Senator Dempsey offered Senate Resolution No. 1937, regarding Global Spectrum, which was adopted.

Senator Dempsey offered Senate Resolution No. 1938, regarding Safe Way Tire, which was adopted.

Senator Romine offered Senate Resolution No. 1939, regarding Mary Gilman, which was adopted.

Senator Romine offered Senate Resolution No. 1940, regarding Brian Jett, which was adopted.

Senator Holsman offered Senate Resolution No. 1941, regarding the Veterans of Underage Military Service, which was adopted.

Senator Parson offered Senate Resolution No. 1942, regarding the City of Lowry City Water Department, which was adopted.

Senator Parson offered Senate Resolution No. 1943, regarding Bill Breshears, Bolivar, which was adopted.

Senator Lager offered Senate Resolution No. 1944, regarding Lynne Heldenbrand, which was adopted.

Senator Lager offered Senate Resolution No. 1945, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Russell Carson, Smithville, which was adopted.

Senator Lager offered Senate Resolution No. 1946, regarding Susan McFee, Weatherby, which was adopted.

Senator Lager offered Senate Resolution No. 1947, regarding Lisa Alexandra Bird, Maysville, which was adopted.

Senator Brown offered Senate Resolution No. 1948, regarding American Stroke Month, May 2014, which was adopted.

Senator Keaveny offered Senate Resolution No. 1949, regarding Caleb Cavarretta, Columbia, which was adopted.

Senator Romine offered Senate Resolution No. 1950, regarding Judy Forbes, which was adopted.

Senator Romine offered Senate Resolution No. 1951, regarding Carol Lee Mims, Potosi, which was adopted.

Senator Romine offered Senate Resolution No. 1952, regarding Brenda Kay Huddleston, Potosi, which was adopted.

Senator Romine offered Senate Resolution No. 1953, regarding Carole Kraft, Potosi, which was adopted.

Senator Romine offered Senate Resolution No. 1954, regarding Danette Darling, Potosi, which was adopted.

Senator Romine offered Senate Resolution No. 1955, regarding Brenda A. Patt, Bonne Terre, which was adopted.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 890**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1713**, entitled:

An Act to repeal section 288.500, RSMo, and to enact in lieu thereof one new section relating to the shared work unemployment compensation program, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has



taken up and passed **HCS** for **HB 1304**, entitled:

An Act to repeal section 311.200, RSMo, and to enact in lieu thereof one new section relating to liquor licenses, with an effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1952**, entitled:

An Act to repeal section 281.065, RSMo, and to enact in lieu thereof one new section relating to certified commercial pesticide applicators.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2126**, entitled:

An Act to repeal section 563.031, RSMo, and to enact in lieu thereof one new section relating to deadly force.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2238**, entitled:

An Act to amend chapters 192, 195, and 261, RSMo, by adding thereto four new sections relating to hemp, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1655**, entitled:

An Act to repeal section 302.020, RSMo, and to enact in lieu thereof two new sections relating to motor vehicles, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1936**, entitled:

An Act to repeal sections 115.063, 115.065, 115.121, 115.123, 115.341, 115.349, 115.615, and 115.621, RSMo, and to enact in lieu thereof eight new sections relating to primary elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2085**, entitled:

An Act to repeal section 478.437, RSMo, and to enact in lieu thereof two new sections relating to judgeships.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1684**, entitled:

An Act to repeal sections 135.305, 135.700, 135.710, and 137.010, RSMo, and to enact in lieu thereof four new sections relating to a tax credits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **HOUSE BILLS ON THIRD READING**

**HCS** for **HB 2001**, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, and Fourth State Building Bond and Interest Fund, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds of these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

On motion of Senator Schaefer, **HCS** for **HB 2001** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lager	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Wasson—28				

NAYS—Senator Lamping—1

## Absent—Senators

LeVota Walsh—2

Absent with leave—Senator Keaveny—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS for HB 2002, with SCS, entitled:**

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that the Department of Elementary and Secondary Education shall employ no more than 808.34 full-time equivalent employees (FTE) from the General Revenue Fund, 850.67 FTE from federal funds, and 16.83 FTE from all other funds.

Was taken up by Senator Schaefer.

**SCS for HCS for HB 2002, entitled:**

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2002

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 2002** be adopted.

Senator LeVota offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2002, Page 2, Section 2.015, Line 2, by striking the number “\$3,679,310,241” and inserting in lieu thereof the number “\$3,773,310,241”; and

Further amend said bill, said page, said section, line 7 by striking the number “\$3,353,283,124” and inserting in lieu thereof the number “\$3,447,283,124” and

Further amend said bill, said page, said section, line 13 by striking the number “2,186,646,636” and inserting in lieu thereof the number “2,280,646,636” and

Further amend said bill, page 3, said section, line 34 by striking the number “\$3,742,990,782” and inserting in lieu thereof the number “\$3,836,990,782” and

Further amend said bill, page 12, section 2.255, line 4 by striking the number “\$2,036,379,563” and inserting in lieu thereof the number “2,130,379,563” and

Further amend bill totals accordingly.

Senator LeVota moved that the above amendment be adopted, which motion failed.

President Kinder assumed the Chair.

Senator Holsman offered **SA 2**:

**SENATE AMENDMENT NO. 2**

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2002, Page 2, Section 2.015, Line 2, by striking the number “\$3,679,310,241” and inserting in lieu thereof the number “\$3,773,310,241”; and

Further amend said bill, said page, said section, line 11 by striking the number “\$16,000,000” and inserting in lieu thereof the number “\$110,000,000” and

Further amend said bill, said page, said section, line 13 by striking the number “2,186,646,636” and inserting in lieu thereof the number “2,280,646,636” and

Further amend said bill, page 3, said section, line 34 by striking the number “\$3,742,990,782” and inserting in lieu thereof the number “\$3,836,990,782” and

Further amend said bill, page 12, section 2.255, line 4 by striking the number “\$2,036,379,563” and inserting in lieu thereof the number “2,130,379,563” and

Further amend bill totals accordingly.

Senator Holsman moved that the above amendment be adopted, which motion failed.

Senator Chappelle-Nadal offered **SA 3**:

**SENATE AMENDMENT NO. 3**

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2002, Page 5, Section 2.070, Line 13, by striking the number “\$3,370,999” and inserting in lieu thereof the number “\$3,185,589” and

Further amend section and bill totals accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt assumed the Chair.

Senator Keaveny offered **SA 4**:

#### SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2002, Page 2, Section 2.015, Line 2, by striking the number “\$3,679,310,241” and inserting in lieu thereof the number “\$3,773,310,241”; and

Further amend said bill, said page, said section, line 9 by striking the number “\$144,660,376” and inserting in lieu thereof the number “\$238,660,376” and

Further amend said bill, said page, said section, line 13 by striking the number “2,186,646,636” and inserting in lieu thereof the number “2,280,646,636” and

Further amend said bill, page 3, said section, line 34 by striking the number “\$3,742,990,782” and inserting in lieu thereof the number “\$3,836,990,782” and

Further amend said bill, page 12, section 2.255, line 4 by striking the number “\$2,036,379,563” and inserting in lieu thereof the number “2,130,379,563” and

Further amend bill totals accordingly.

Senator Keaveny moved that the above amendment be adopted, which motion failed.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2002**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 2002**, as amended, was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

#### NAYS—Senators

Lamping      LeVota—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **SS** for **SCS** for **SB 491**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

President Pro Tem Dempsey assumed the Chair.

### **SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **HCS** for **SS** for **SCS** for **SB 491**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

### **HOUSE BILLS ON THIRD READING**

**HCS** for **HB 2003**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds shall be expended at public institutions of higher education that offer a tuition rate to an unlawfully present covered student pursuant to 173.110, RSMo, that is less than the tuition rate charged to citizens or nationals of the United States whose residence is not in Missouri, and further provided that the Department of Higher Education shall employ no more than 14.88 full-time equivalent employees (FTE) from the General Revenue Fund, 1.49 FTE from federal funds, and 64.02 FTE from all other funds.

Was taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 2003**, entitled:

### **SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2003**

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and

further provided that no funds shall be expended at public institutions of higher education that knowingly offers a tuition rate to an unlawfully present covered student pursuant to 173.110, RSMo, that is less than the tuition rate charged to citizens or nationals of the United States whose residence is not in Missouri.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2003** be adopted.

Senator Pearce offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2003, Page 9, Section 3.210, Line 4, by inserting immediately after all of said line the following:

“For the Missouri Science, Technology, Engineering and Mathematics initiative pursuant to Chapter 173, RSMo. to develop a program to enable high school students to earn industry recognized information technology skills certification that can articulate toward post-secondary credit.

From General Revenue Fund . . . . . 101,880”; and

Further amend all section and bill totals accordingly.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt assumed the Chair.

Senator Justus offered **SA 2**:

#### SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2003, Page 1, In the Title, Lines 8 thru 11, by striking all of said lines and inserting in lieu thereof “Auditor, State Treasurer, or Attorney General.”

Senator Justus moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2003**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 2003**, as amended, was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Kehoe	LeVota	Libla	Munzlinger	Nasheed	Parson	Pearce	Richard
Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—26						

#### NAYS—Senators

Justus	Keaveny	Kraus	Lager	Lamping	Nieves—6
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS for HB 2004**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that the Department of Revenue shall employ no more than 939.03 full-time equivalent employees (FTE) from the General Revenue Fund, 6.67 FTE from federal funds, and 416.58 FTE from all other funds, and further provided that the Department of Transportation shall employ no more than zero full-time equivalent employees (FTE) from the General Revenue Fund, 15.26 FTE from federal funds, and 5,582.08 FTE from all other funds.

Was taken up by Senator Schaefer.

**SCS for HCS for HB 2004**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2004

An Act appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General; and further provided that no funds shall be expended, loaned or granted for the purchase, leasing, operation or maintenance of license plate readers unless authorized specifically by the legislature; and further provided that no funds shall be used to pay the costs of conferences or meetings held by AAMVA, travel to attend such conferences or meetings, participation with boards, committees, or administration of AAMVA, or for the collection or retention of individual data by AAMVA that violates any state law.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 2004** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS for HCS for HB 2004** was read the 3rd time and passed by the following vote:



## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

## NAYS—Senators

Lamping      Nieves—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 2005**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that the Office of Administration shall employ no more than 652.76 full-time equivalent employees (FTE) from the General Revenue Fund, 332.50 FTE from federal funds, and 937.89 FTE from all other funds.

Was taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 2005**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2005

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney

General; and further provided that no funds shall be expended, loaned or granted for the purchase, leasing, operation or maintenance of license plate readers unless authorized specifically by the legislature.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2005** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 2005** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lager	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators

Kraus            Lamping—2

Absent—Senator Sater—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### **BILLS DELIVERED TO THE GOVERNOR**

**HCS** for **SS** for **SCS** for **SB 491**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1647**, entitled:

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to prohibitions on certain policies that infringe on private property rights.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HB 1358**, entitled:

An Act to repeal sections 393.1000 and 393.1003, RSMo, and to enact in lieu thereof two new sections relating to infrastructure system replacement surcharges.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2079**, entitled:

An Act to repeal section 393.015, RSMo, and to enact in lieu thereof two new sections relating to terminations of water services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2116**, entitled:

An Act to repeal sections 84.340, 94.902, 287.243, 321.015, 321.130, 321.210, 571.030, 575.120, 575.153, and 595.030, RSMo, and to enact in lieu thereof eleven new sections relating to public safety.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1867**, entitled:

An Act to repeal sections 319.015, 319.016, 319.022, 319.024, 319.025, 319.026, 319.027, 319.028, 319.029, 319.030, 319.035, 319.040, 319.041, 319.045, and 319.050, RSMo, and to enact in lieu thereof thirteen new sections relating to underground facility safety, with an effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1231**, entitled:

An Act to repeal sections 56.363, 56.800, 56.805, 56.807, 56.811, 56.827, 56.833, 56.840, 105.684, 211.183, 211.447, 302.065, 452.375, 452.400, 452.556, 453.015, 453.040, 453.110, 455.007, 456.950, 478.437, 478.610, 488.026, 516.140, 516.350, 536.010, 546.720, 575.153, 578.501, 578.502, 578.503, 632.480, 632.483, and 632.484, RSMo, and to enact in lieu thereof forty-eight new sections relating to judicial procedures, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1612**, entitled:

An Act to repeal sections 408.040, 488.305, 525.020, 525.040, 525.070, 525.080, 525.230, and 525.310, RSMo, and to enact in lieu thereof nine new sections relating to garnishments, with an effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1937**, entitled:

An Act to repeal sections 537.325, 537.345, 537.348, 578.018, and 578.030, RSMo, and to enact in lieu thereof five new sections relating to the liability of property owners, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 690**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 523**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 600**, entitled:

An Act to repeal sections 42.170, 42.200, 42.220, 301.3142, 347.179, 351.065, 354.150, 355.021, 357.060, 358.440, 359.651, 394.250, and 417.220, RSMo, and to enact in lieu thereof sixteen new sections relating to veterans, with penalty provisions.

With House Amendment No. 1.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 600, Page 4, Section 42.315, Line 19, by inserting after all of said line the following:

“170.049. The board of each school district shall require each school in such district to **conduct educational programs and activities and** devote a period of time **at least** equal to one class period **leading**

**up** to an observance that conveys the meaning and significance of Veterans Day. Such observance shall take place on or as close as possible to Veterans Day. The board, in consultation with the administrators of each school in the district, shall determine the activities which will constitute the required observance.

171.051. School holidays include Thanksgiving Day, December twenty-fifth, the third Monday in February, [and] July fourth, **and may include November eleventh at the discretion of the school district.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

President Pro Tem Dempsey assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1631**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HB 1390**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HB 1506**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HBs 1307** and **1313**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **HB 1455**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans’ Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans’ Affairs and Health, to which was referred **HCS** for **HB 1779**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HB 1603**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following report:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **HCS** for **HB 1557**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HCS** for **HB 1514**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SB 958**; **HJR 68**; and **HB 1081**, begs leave to report that it has considered the same and recommends that the bills and joint resolution do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HB 1791**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

### **REFERRALS**

President Pro Tem Dempsey referred **SB 964**; **HCS** for **HB 1729**; **HB 1132**, with **SCS**; and **HCS** for **HB 1237** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey referred **SCR 43**; **HCR 30**; **HCS** for **HCR 38**; and **HCS** for **HCR 45** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

### **RESOLUTIONS**

Senator Cunningham offered Senate Resolution No. 1956, regarding Andrew Kinslow, Fordland, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Justus introduced to the Senate, Ashley Bauer, Warren County.

Senator Justus introduced to the Senate, Matthew Craig, Ryan Hageman, John (Jack) Jackson, John Liston, Henry (Hank) Philgreen, Thomas Robey, Jacob Sneed and Nathaniel Wilcox, members of the St. Elizabeth Catholic Parish Boy Scout Pack 4150, Kansas City.

On motion of Senator Richard, the Senate adjourned under the rules.

## SENATE CALENDAR

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FIFTY-NINTH DAY—TUESDAY, APRIL 29, 2014

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## FORMAL CALENDAR

## HOUSE BILLS ON SECOND READING

HB 1713-Lauer, et al  
HCS for HB 1304  
HCS for HB 1952  
HB 2126-McGaugh, et al  
HCS for HB 2238  
HCS for HB 1655  
HCS for HB 1936  
HCS for HB 2085  
HB 1684-Fitzwater, et al

HB 1647-Moon, et al  
HB 1358-Flanigan  
HB 2079-Funderburk  
HCS for HB 2116  
HCS for HB 1867  
HCS for HB 1231  
HCS for HB 1612  
HCS for HB 1937

## THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt (In  
Fiscal Oversight)  
SS for SCS for SB 850-Munzlinger (In  
Fiscal Oversight)

SB 958-Nieves  
SS for SB 866-Wasson  
SB 964-Lager (In Fiscal Oversight)

## SENATE BILLS FOR PERFECTION

1. SB 858-Kraus  
2. SB 669-Schaaf  
3. SB 821-Schaefer  
4. SB 823-Dixon, et al, with SCS  
5. SB 973-Brown

6. SB 815-Pearce, with SCS  
7. SBs 798 & 514-Emery, with SCS  
8. SB 865-Nieves  
9. SB 619-Nieves, with SCS  
10. SB 531-Nasheed

## HOUSE BILLS ON THIRD READING

1. HJR 68-Hinson and Schatz (Kehoe)

2. HCS for HB 1201, with SCS (Romine)

3. HB 1490-Bahr, et al, with SCS (Emery)
4. HCS for HB 1729 (Parson) (In Fiscal Oversight)
5. HB 1132-Engler, et al, with SCS (Romine) (In Fiscal Oversight)
6. HCS for HB 1459 (Romine)
7. HCS for HB 1439, with SCS
8. HB 1126-Dugger and Entlicher, with SCS (Kraus)
9. HB 1238-Hinson, with SCS (Dixon)
10. HCS for HB 1710 (Kraus)
11. HCS for HB 1237 (Schaaf) (In Fiscal Oversight)
12. HCS for HB 2040 (Brown)
13. HB 1430-Jones (110), et al
14. HB 1092-Lant, et al, with SCS (Dixon)
15. HB 1184-Grisamore (Justus)
16. HCS for HB 1217, with SCS (Cunningham)
17. HCS for HRB 1299, with SCS (Lager)
18. HB 1359-Flanigan (Kehoe)
19. HCS for HB 2006, with SCS (Schaefer)
20. HCS for HB 2007, with SCS (Schaefer)
21. HCS for HB 2008, with SCS (Schaefer)
22. HCS for HB 2009, with SCS (Schaefer)
23. HCS for HB 2010, with SCS (Schaefer)
24. HCS for HB 2011, with SCS (Schaefer)
25. HCS for HB 2012, with SCS (Schaefer)
26. HCS for HB 2013, with SCS (Schaefer)
27. HCS for HB 1631, with SCS
28. HB 1390-Thomson, et al, with SCS
29. HB 1506-Franklin, et al
30. HCS for HBs 1307 & 1313, with SCS
31. HB 1455-Hoskins and Fraker
32. HCS for HB 1779, with SCS
33. HB 1603-Conway and Kratky
34. HCS for HB 1557
35. HCS for HB 1514, with SCS
36. HB 1791-Fitzwater, et al, with SCS (Romine)

#### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

- |   |  |
|---|--|
| SB 490-Lager and Kehoe, with SCS                      | SB 617-Parson, with SCS, SS for SCS & SA 1 (pending)               |
| SB 494-Pearce, with SS (pending)                      | SB 634-Parson, with SCS  |
| SB 501-Keaveny  | SB 641-Emery   |
| SB 518-Sater, with SCS, SA 2 & SA 1 to SA 2 (pending) | SB 644-LeVota  |
| SB 519-Sater, with SS & SA 1 (pending)                | SB 659-Wallingford, with SCS                                       |
| SB 538-Keaveny and Holsman                            | SB 663-Munzlinger, with SCS  |
| SS for SB 543-Munzlinger                              | SB 671-Sater   |
| SB 550-Sater, with SCS                                | SB 712-Walsh, with SCS & SS for SCS (pending)                      |
| SB 553-Emery, with SCS, SS for SCS & SA 1 (pending)   | SB 724-Parson  |
| SB 555-Nasheed, with SS & SA 1 (pending)              | SB 739-Romine, with SCS, SS for SCS, SA 1 & SA 1 to SA 1 (pending) |
| SB 566-Sifton   | SB 755-Wallingford   |
| SB 573-Munzlinger, with SCS                           | SB 762-Schaefer, with SCS  |
| SB 578-Kraus  | SB 769-Pearce, with SCS  |
| SB 589-Brown, with SCS, SA 2 & SA 1 to SA 2 (pending) | SB 770-Wallingford, with SCS                                       |



SBs 787 & 804-Justus, with SCS  
 SB 790-Dixon  
 SB 814-Brown  
 SB 819-Wallingford, with SCS  
 SB 830-Parson  
 SBs 836 & 800-Munzlinger, with SCS  
 SB 846-Richard  
 SB 848-LeVota, with SCS  
 SB 875-Sater, with SCS  
 SB 887-Schaefer

SB 888-Parson, with SCS  
 SB 912-Wasson and Justus, with SCS  
 (pending)  
 SB 919-Justus  
 SB 966-Lager  
 SJR 25-Lager, with SS, SA 2 & SA 1 to SA 2  
 (pending)  
 SJR 26-Lager, with SS & SA 1 (pending)  
 SJR 34-Emery  
 SJR 42-Schmitt, with SS (pending)

### HOUSE BILLS ON THIRD READING

HB 1173-Burlison, et al, with SA 1 & SA 1  
 to SA 1 (pending) (Brown)  
 HCS for HB 1295, with SCS (Kraus)  
 HB 1495-Torpey and Hicks, with SCS & SS  
 for SCS (pending) (Dixon)

HCS for HB 1501, with SS (pending)  
 (Schmitt)  
 HCS for HJR 47 (Kraus)  
 HJR 72-Richardson, et al (Silvey)

### CONSENT CALENDAR

House Bills

Reported 4/15

HCS for HB 1510 (Brown)  
 HB 1724-Davis and Lynch (Brown)

HB 1081-McCaherty, et al (Romine)

### SENATE BILLS WITH HOUSE AMENDMENTS

SB 600-Sater, with HCS, as amended

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# Journal of the Senate

## SECOND REGULAR SESSION

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**FIFTY-NINTH DAY—TUESDAY, APRIL 29, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“We have a great, popular, constitutional government, guarded by law and by judicature, defended by the affection of the whole people.”  
(Daniel Webster, 1850)

O God, You have ordained government to administer the public affairs of our people. We pray that You, O Lord, would direct the affairs of this government so that Your Word might continue to go forth to accomplish Your will by the tasks and bills that are put before us this day. Guide our thoughts and actions and abide with us we pray. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Lamping offered Senate Resolution No. 1957, regarding Reverend John Kennehan, St. Louis, which was adopted.

Senator Romine offered Senate Resolution No. 1958, regarding Sherry Golterman, which was adopted.

Senator Romine offered Senate Resolution No. 1959, regarding Patti Cates, which was adopted.

Senator Romine offered Senate Resolution No. 1960, regarding Dora Weiss, which was adopted.

Senator Romine offered Senate Resolution No. 1961, regarding Paulette DeGonia, which was adopted.

Senator Romine offered Senate Resolution No. 1962, regarding Vernon “Red” White, Farmington, which was adopted.

Senator Romine offered Senate Resolution No. 1963, regarding Teresa Owen, Bonne Terre, which was adopted.

Senator Romine offered Senate Resolution No. 1964, regarding Mike Henderson, which was adopted.

Senator Romine offered Senate Resolution No. 1965, regarding Kathy Holdman, which was adopted.

Senator Romine offered Senate Resolution No. 1966, regarding Cheri Henderson, which was adopted.

Senator Romine offered Senate Resolution No. 1967, regarding Kim Pope, which was adopted.

**HOUSE BILLS ON THIRD READING**

**HCS** for **HB 2006**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that the Department of Agriculture shall employ no more than 88.25 full-time equivalent employees (FTE) from the General Revenue Fund, 34.26 FTE from federal funds, and 298.74 FTE from all other funds, and further provided that the Department of Natural Resources shall employ no more than 134.84 full-time equivalent employees (FTE) from the General Revenue Fund, 388.35 FTE from federal funds, and 1,164.88 FTE from all other funds, and further provided that the Department of Conservation shall employ no full-time equivalent employees (FTE) from the General Revenue Fund or Federal Funds, and no more than 1,794.68 FTE from the Conservation Commission Fund.

Was taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 2006**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2006

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Lager assumed the Chair.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2006** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 2006** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Lager              Lamping—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 2007**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended

only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that the Department of Economic Development shall employ no more than 72.66 full-time equivalent employees (FTE) from the General Revenue Fund, 571.04 FTE from federal funds, and 296.55 FTE from all other funds, and further provided that the Department of Insurance, Financial Institutions and Professional Registration shall employ no more than zero full-time equivalent employees (FTE) from the General Revenue Fund, 20.79 FTE from federal funds, and 559.68 FTE from all other funds, and further provided that the Department of Labor and Industrial Relations shall employ no more than 28.62 full-time equivalent employees (FTE) from the General Revenue Fund, 596.85 FTE from federal funds, and 192.33 FTE from all other funds.

Was taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 2007**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2007

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2007** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 2007** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lager	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Lamping—1

Absent—Senator Kraus—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 2008**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that the Department of Public Safety shall employ no more than 475.02 full-time equivalent employees (FTE) from the General Revenue Fund, 434.44 FTE from federal funds, and 4,071.92 FTE from all other funds.

Was taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 2008**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2008

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; and further provided that no funds shall be expended, loaned or granted for the purchase, leasing, operation or maintenance of license plate readers unless authorized specifically by the legislature.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2008** be adopted.

Senator Schaefer offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2008, Page 4, Section 8.040, Line 4, by striking the number “\$7,500,000” and inserting in lieu thereof the number “\$9,000,000”; and

Further amend bill totals accordingly.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Justus offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2008, Page 1, Section 8.005, Line 6, by inserting immediately after said line the following:

“For the purpose of purchasing a facsimile machine for communication between the department and the General Assembly

From General Revenue ..... \$150”;

and

Further amend section and bill totals accordingly.

Senator Justus moved that the above amendment be adopted.

Senator Schaaf offered **SA 1** to **SA 2**, which was read:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Committee Substitute for House Committee Substitute for House Bill No. 2008, Page 1, Line 5, by deleting the amount “\$150” and inserting therein the amount “\$143”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

**SA 2**, as amended, was again taken up.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2008, Page 2, Section 8.010, Line 3, by inserting immediately after said line the following:

“From Federal Funds ..... \$1,240,042”; and

Further amend said section, page 3, line 14 by striking all of said line from the bill and inserting in lieu thereof the following:

“From General Revenue ..... 1,000,000”; and

Further amend section and bill totals accordingly.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Nieves assumed the Chair.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2008**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 2008**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf

Schaefer      Schmitt      Sifton      Silvey      Wallingford      Walsh      Wasson—31

NAYS—Senator Lamping—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS for HB 2009**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that the Department of Corrections shall employ no more than 10,852.83 full-time equivalent employees (FTE) from the General Revenue Fund, 44.06 FTE from federal funds, and 250.87 FTE from all other funds.

Was taken up by Senator Schaefer.

**SCS for HCS for HB 2009**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2009

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 2009** be adopted.

Senator Munzlinger offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2009, Page 14,



Section 9.270, Line 7, by inserting immediately after the word “RSMo” the following:

“Provided that such funds shall only be deposited into the Inmate Prisoner Detainee Security Fund for the county in which the jail is located”

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2009**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 2009**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Lamping—1

Absent—Senator Schmitt—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 2010**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that the Department of Mental Health shall employ no more than 4,878.20 full-time equivalent employees (FTE) from the General Revenue Fund, 2,414.03 FTE from federal funds, and 85.21 FTE from all other funds, and further provided that the Department of Health and Senior Services shall employ no more than 654.09 full-time equivalent employees (FTE) from the General Revenue Fund, 972.13 FTE from federal funds, and 125.25 FTE from all other funds.

Was taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 2010**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2010

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2010** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 2010** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Keaveny	Kehoe
Kraus	Lager	Libla	Munzlinger	Nasheed	Nieves	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford
Walsh	Wasson—26						

NAYS—Senators

Curls	Holsman	Justus	Lamping	LeVota	Sifton—6
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 2011**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV,

Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that the Department of Social Services shall employ no more than 1,753.87 full-time equivalent (FTE) employees from the General Revenue Fund, 4,658.30 FTE from federal funds, and 479.28 FTE from all other funds.

Was taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 2011**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2011

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2011** be adopted.

Senator Schaefer offered **SS** for **SCS** for **HCS** for **HB 2011**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2011

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 2011** be adopted.

At the request of Senator Schaefer, **HCS** for **HB 2011**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

### REFERRALS

President Pro Tem Dempsey referred **HB 1506** to the Committee on Governmental Accountability and Fiscal Oversight.

### **HOUSE BILLS ON SECOND READING**

The following Bills were read the 2nd time and referred to the Committees indicated:

**HB 1713**—Seniors, Families and Pensions.

**HCS for HB 1304**—Jobs, Economic Development and Local Government.

**HCS for HB 1952**—Agriculture, Food Production and Outdoor Resources.

**HB 2126**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HB 2238**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HB 1655**—Transportation and Infrastructure.

**HCS for HB 1936**—Financial and Governmental Organizations and Elections.

**HCS for HB 2085**—Judiciary and Civil and Criminal Jurisprudence.

**HB 1684**—Jobs, Economic Development and Local Government.

**HB 1647**—General Laws.

**HB 1358**—Commerce, Consumer Protection, Energy and the Environment.

**HB 2079**—Commerce, Consumer Protection, Energy and the Environment.

**HCS for HB 2116**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HB 1867**—Commerce, Consumer Protection, Energy and the Environment.

**HCS for HB 1231**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HB 1612**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HB 1937**—Agriculture, Food Production and Outdoor Resources.

Photographers from KMIZ/ABC 17 were given permission to take pictures in the Senate Chamber.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SS for SB 694**, entitled:

An Act to repeal sections 408.500, 408.505, and 408.506, RSMo, and to enact in lieu thereof three new sections relating to unsecured loans of five hundred dollars or less, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 741**.

Bill ordered enrolled.

### HOUSE BILLS ON THIRD READING

Senator Schaefer moved that **HCS** for **HB 2011**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SS** for **SCS** for **HCS** for **HB 2011** was again taken up.

Senator Pearce assumed the Chair.

Senator LeVota offered **SA 1**:

### SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, Page 38, Section 11.555, Line 29, by inserting immediately after said line the following:

“Section 11.560. To the Department of Social Services

For the MO HealthNet Division

For Medicaid services for low-income adults

From Federal Funds . . . . . \$1E”; and

Further amend bill totals accordingly.

Senator LeVota moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 2011** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SS** for **SCS** for **HCS** for **HB 2011** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Keaveny	Kehoe
Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—24

#### NAYS—Senators

Emery	Holsman	Justus	Kraus	Lamping	LeVota	Nasheed—7
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Absent—Senator Lager—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 2012**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2014 and ending June 30, 2015.

Was taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 2012**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2012

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2014 and ending June 30, 2015.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2012** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 2012** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Lamping—1

Absent—Senator Holsman—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS for HB 2013**, with **SCS**, entitled:

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

**SCS for HCS for HB 2013**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2013

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2013** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 2013** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Lamping—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

## **RECESS**

The time of recess having expired, the Senate was called to order by Senator Dixon.

## **HOUSE BILLS ON THIRD READING**

**HJR 68**, introduced by Representatives Hinson and Schatz, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 30(d) of article IV of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to a temporary tax to improve the state highway system, city streets, county roads, and the state transportation system.

Was taken up by Senator Kehoe.

Senator Kehoe offered **SS** for **HJR 68**, entitled:

## **SENATE SUBSTITUTE FOR HOUSE JOINT RESOLUTION NO. 68**

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 30(d)



of article IV of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to a temporary tax to improve the state highway system, city streets, county roads, and the state transportation system.

Senator Kehoe moved that **SS** for **HJR 68** be adopted.

Senator Libla offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Joint Resolution No. 68, Page 3, Section 30 (e), Line 13, by inserting immediately at the end of said line the following: “**Transactions occurring in a city of the third classification with more than seventeen thousand but fewer than nineteen thousand inhabitants and located in any county of the third classification without a township form of government and with more than forty-one thousand but fewer than forty-five thousand inhabitants shall only be subject to the additional state sales tax and additional state use tax at a rate of twenty-five hundredths of one percent.**”.

Senator Libla moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Kehoe moved that **SS** for **HJR 68** be adopted, which motion prevailed.

On motion of Senator Kehoe, **SS** for **HJR 68** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Keaveny	Kehoe
LeVota	Libla	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine
Sater	Sifton	Silvey	Wallingford	Walsh	Wasson—22		

#### NAYS—Senators

Brown	Emery	Justus	Kraus	Lager	Lamping	Nieves	Schaaf
Schaefer	Schmitt—10						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the joint resolution passed.

On motion of Senator Kehoe, title to the joint resolution was agreed to.

Senator Kehoe moved that the vote by which the joint resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 1201**, with **SCS**, entitled:

An Act to repeal section 444.772, RSMo, and to enact in lieu thereof one new section relating to surface mining.

Was taken up by Senator Romine.

**SCS** for **HCS** for **HB 1201**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1201

An Act to repeal sections 444.772 and 444.773, RSMo, and to enact in lieu thereof two new sections relating to surface mining.

Was taken up.

Senator Romine moved that **SCS** for **HCS** for **HB 1201** be adopted, which motion prevailed.

On motion of Senator Romine, **SCS** for **HCS** for **HB 1201** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 1490**, introduced by Representative Bahr, et al, with **SCS**, entitled:

An Act to repeal sections 160.514 and 161.022, RSMo, and to enact in lieu thereof three new sections relating to elementary and secondary education.

Was taken up by Senator Emery.

**SCS** for **HB 1490**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1490

An Act to repeal sections 160.514 and 161.022, RSMo, and to enact in lieu thereof three new sections relating to elementary and secondary education.

Was taken up.

Senator Emery offered **SS** for **SCS** for **HB 1490**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1490

An Act to repeal sections 160.514, 160.518, 160.526, 160.820, and 161.092, RSMo, and to enact in lieu thereof eight new sections relating to elementary and secondary education standards, with an emergency clause.

Senator Emery moved that **SS** for **SCS** for **HB 1490** be adopted.

Senator Emery offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1490, Page 19, Section 161.096, Line 10 of said page, by striking the word “and” as it appears the second time on said line and inserting in lieu thereof the following: “, **including provisions that prohibit private vendors from selling student data or from using student data in furtherance of advertising,**”; and further amend line 11 of said page, by striking the word “include” and inserting in lieu thereof the word “**with**”; and further amend lines 13-17 of said page, by striking all of said lines and inserting in lieu thereof the following: “**district whose access to student data, if**”.

Senator Emery moved that the above amendment be adopted, which motion prevailed.

Senator Pearce offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1490, Pages 13-17, Section 161.092, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Sifton offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1490, Page 13, Section 160.820, Line 20 of said page, by inserting after all of said line the following:

**“161.086. When the state board of education assigns classification designations to school districts and individual school buildings pursuant to its authority to classify the public schools of the state in section 161.092, the state board shall only use the following classification designations based on the standards adopted by the state board:**

**(1) Unaccredited;**

**(2) Provisionally accredited;**

**(3) Accredited; and**

**(4) Accredited with distinction.”; and**

Further amend said bill, page 20, section 161.096, line 24 of said page, by inserting immediately after said line the following:

**“161.238. 1. As authorized under its duty to classify the schools of the state under section 161.092, the state board of education shall adopt a system of classification that accredits individual school buildings within a district separately from the district as a whole using the classification designations provided in section 161.086.**

**2. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.”; and**

Further amend said bill, Page 22, Section 161.855, Line 8 of said page, by inserting after all of said line the following:

**“162.081. 1. Whenever any school district in this state fails or refuses in any school year to provide for the minimum school term required by section 163.021 or is classified unaccredited, the state board of education shall, upon a district’s initial classification or reclassification as unaccredited:**

**(1) Review the governance of the district to establish the conditions under which the existing school board shall continue to govern; or**

**(2) Determine the date the district shall lapse and determine an alternative governing structure for the district.**

**2. If at the time any school district in this state shall be classified as unaccredited, the department of elementary and secondary education shall conduct at least two public hearings at a location in the unaccredited school district regarding the accreditation status of the school district. The hearings shall provide an opportunity to convene community resources that may be useful or necessary in supporting the school district as it attempts to return to accredited status, continues under revised governance, or plans for continuity of educational services and resources upon its attachment to a neighboring district. The department may request the attendance of stakeholders and district officials to review the district’s plan to return to accredited status, if any; offer technical assistance; and facilitate and coordinate community resources. Such hearings shall be conducted at least twice annually for every year in which the district remains unaccredited or provisionally accredited.**

**3. Upon classification of a district as unaccredited, the state board of education may:**

**(1) Allow continued governance by the existing school district board of education under terms and conditions established by the state board of education; or**

**(2) Lapse the corporate organization of the unaccredited district and:**

(a) Appoint a special administrative board for the operation of all or part of the district. The number of members of the special administrative board shall not be less than five, the majority of whom shall be residents of the district. The members of the special administrative board shall reflect the population characteristics of the district and shall collectively possess strong experience in school governance, management and finance, and leadership. **The state board of education may appoint members of the district's elected school board to the special administrative board but members of the elected school board shall not comprise more than forty-nine percent of the special administrative board's membership.** Within fourteen days after the appointment by the state board of education, the special administrative board shall organize by the election of a president, vice president, secretary and a treasurer, with their duties and organization as enumerated in section 162.301. The special administrative board shall appoint a superintendent of schools to serve as the chief executive officer of the school district and to have all powers and duties of any other general superintendent of schools in a seven-director school district. Any special administrative board appointed under this section shall be responsible for the operation of the district until such time that the district is classified by the state board of education as provisionally accredited for at least two successive academic years, after which time the state board of education may provide for a transition pursuant to section 162.083; or

(b) Determine an alternative governing structure for the district including, at a minimum:

a. A rationale for the decision to use an alternative form of governance and in the absence of the district's achievement of full accreditation, the state board of education shall review and recertify the alternative form of governance every three years;

b. A method for the residents of the district to provide public comment after a stated period of time or upon achievement of specified academic objectives;

c. Expectations for progress on academic achievement, which shall include an anticipated time line for the district to reach full accreditation; and

d. Annual reports to the general assembly and the governor on the progress towards accreditation of any district that has been declared unaccredited and is placed under an alternative form of governance, including a review of the effectiveness of the alternative governance; or

(c) Attach the territory of the lapsed district to another district or districts for school purposes; or

(d) Establish one or more school districts within the territory of the lapsed district, with a governance structure specified by the state board of education, with the option of permitting a district to remain intact for the purposes of assessing, collecting, and distributing property taxes, to be distributed equitably on a weighted average daily attendance basis, but to be divided for operational purposes, which shall take effect sixty days after the adjournment of the regular session of the general assembly next following the state board's decision unless a statute or concurrent resolution is enacted to nullify the state board's decision prior to such effective date.

4. If a district remains under continued governance by the school board under subdivision (1) of subsection 3 of this section and either has been unaccredited for three consecutive school years and failed to attain accredited status after the third school year or has been unaccredited for two consecutive school years and the state board of education determines its academic progress is not consistent with attaining accredited status after the third school year, then the state board of education shall proceed under

subdivision (2) of subsection 3 of this section in the following school year.

5. A special administrative board appointed under this section shall retain the authority granted to a board of education for the operation of the lapsed school district under the laws of the state in effect at the time of the lapse and may enter into contracts with accredited school districts or other education service providers in order to deliver high-quality educational programs to the residents of the district. If a student graduates while attending a school building in the district that is operated under a contract with an accredited school district as specified under this subsection, the student shall receive his or her diploma from the accredited school district. The authority of the special administrative board shall expire at the end of the third full school year following its appointment, unless extended by the state board of education. If the lapsed district is reassigned, the special administrative board shall provide an accounting of all funds, assets and liabilities of the lapsed district and transfer such funds, assets, and liabilities of the lapsed district as determined by the state board of education. Neither the special administrative board nor its members or employees shall be deemed to be the state or a state agency for any purpose, including section 105.711, et seq. The state of Missouri, its agencies and employees shall be absolutely immune from liability for any and all acts or omissions relating to or in any way involving the lapsed district, the special administrative board, its members or employees. Such immunities, and immunity doctrines as exist or may hereafter exist benefitting boards of education, their members and their employees shall be available to the special administrative board, its members and employees.

6. Neither the special administrative board nor any district or other entity assigned territory, assets or funds from a lapsed district shall be considered a successor entity for the purpose of employment contracts, unemployment compensation payment pursuant to section 288.110, or any other purpose.

7. If additional teachers are needed by a district as a result of increased enrollment due to the annexation of territory of a lapsed or dissolved district, such district shall grant an employment interview to any permanent teacher of the lapsed or dissolved district upon the request of such permanent teacher.

8. In the event that a school district with an enrollment in excess of five thousand pupils lapses, no school district shall have all or any part of such lapsed school district attached without the approval of the board of the receiving school district.

**9. If the state board of education reasonably believes that a school district is unlikely to provide for the minimum school term required by section 163.021 because of financial difficulty, the state board of education may, prior to the start of the school term:**

**(1) Allow continued governance by the existing district school board under terms and conditions established by the state board of education; or**

**(2) Lapse the corporate organization of the district and implement one of the options available under subdivision (2) of subsection 3 of this section.**

**162.432.** Notwithstanding any provision of section 163.011 to the contrary, when a change in a school district's boundary lines occurs because of a boundary line change, annexation, attachment, consolidation, reorganization, or dissolution under sections 162.071, 162.081, 162.171 to 162.201, 162.221, 162.223, 162.431, 162.441, or 162.451, or in the event that a school district assumes any territory from a district that ceases to exist for any reason, the department of elementary and secondary education shall make a proper adjustment to each affected district's local effort, so that

each district's local effort figure conforms to the new boundary lines of the district. The department shall compute the local effort figure by applying the calendar year 2004 assessed valuation data to the new land areas resulting from the boundary line change, annexation, attachment, consolidation, reorganization, or dissolution and otherwise follow the procedures described in subdivision (10) of section 163.011.

**162.1310. 1.** When the state board of education classifies any district or school building as unaccredited, the district shall notify the parent or guardian of any student enrolled in the unaccredited district or unaccredited school and any district taxpayer of the loss of accreditation within seven business days. The district's notice shall include an explanation of the option to transfer students to another accredited school in the district or to another accredited district, and any services students may be entitled to receive. The district's notice shall be written in a clear, concise, and easy to understand manner. The district shall post the notice in a conspicuous and accessible place in each district school. The district shall also send the notice to each political subdivision located within the boundaries of the district.

**2.** The school board of any district that operates an unaccredited school, provisionally accredited school, or school with a three year average annual performance report score consistent with a classification of unaccredited or provisionally accredited shall adopt a policy regarding the availability of home visits by school personnel. Pursuant to such policy, the school shall offer to the parent or guardian of a student enrolled in any such school the opportunity to have at least one annual home visit.

**3.** For purposes of this section, the following terms shall mean:

**(1) "Provisionally accredited school",** a school building that is classified as provisionally accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086, 161.092, and 161.238;

**(2) "Unaccredited school",** a school building that is classified as unaccredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086, 161.092, and 161.238.

**167.131. 1.** The board of education of each district in this state that does not maintain [an accredited] **a high school** [pursuant to the authority of the state board of education to classify schools as established in section 161.092] **offering work through the twelfth grade** shall pay [the] tuition [of] **as calculated by the receiving district under subsection 2 of this section** and provide transportation consistent with the provisions of section 167.241 for each pupil resident therein **who has completed the work of the highest grade offered in the schools of the district and** who attends [an accredited] **a public high school** in another district of the same or an adjoining county.

**2.** The rate of tuition to be charged by the district attended and paid by the sending district is the per pupil cost of maintaining the district's grade level grouping which includes the school attended. The cost of maintaining a grade level grouping shall be determined by the board of education of the district but in no case shall it exceed all amounts spent for teachers' wages, incidental purposes, debt service, maintenance and replacements. The term "debt service", as used in this section, means expenditures for the retirement of bonded indebtedness and expenditures for interest on bonded indebtedness. Per pupil cost of the grade level grouping shall be determined by dividing the cost of maintaining the grade level grouping by the

average daily pupil attendance. If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state board of education, and its decision in the matter shall be final. Subject to the limitations of this section, each pupil shall be free to attend the public school of his or her choice.

**167.685. 1. Any unaccredited district, any provisionally accredited district, or any district with a three year average annual performance report score consistent with a classification of unaccredited or provisionally accredited shall offer free tutoring and supplemental education services to students who are performing below grade level or identified by the district as struggling, using funds from the school district improvement fund.**

**2. There is hereby created in the state treasury the “School District Improvement Fund”. The fund shall consist of any gifts, bequests or public or private donations to such fund. Any person or entity that makes a gift, bequest, or donation to the fund may specify the district that shall be the recipient of such gift, bequest, or donation.**

**3. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section.**

**4. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.**

**5. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.**

**6. For purposes of this section, the following terms shall mean:**

**(1) “Provisionally accredited district”, a school district classified as provisionally accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086 and 161.092;**

**(2) “Unaccredited district”, a school district classified as unaccredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086 and 161.092.**

**167.687. 1. Any unaccredited district, any provisionally accredited district, or any district with a three year average annual performance report score consistent with a classification of unaccredited or provisionally accredited may perform any or all of the following actions:**

**(1) Implement a new curriculum, including appropriate professional development, based on scientifically-based research that offers substantial promise of improving educational achievement of low-achieving students;**

**(2) Retain an outside expert to advise the district or school on its progress toward regaining accreditation;**

**(3) Enter into a contract with an education management company or education services provider to operate a school or schools within the district that has a demonstrated record of effectiveness;**

**(4) For any unaccredited school, enter into a collaborative relationship and agreement with an accredited district in which teachers from the unaccredited school may exchange positions with**



teachers from an accredited school in an accredited district for a period of two school weeks.

**2. For purposes of this section, the following terms shall mean:**

**(1) “Accredited district”, a school district that is accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086 and 161.092;**

**(2) “Accredited school”, a school building that is accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086, 161.092, and 161.238;**

**(3) “Provisionally accredited district”, a school district classified as provisionally accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086 and 161.092;**

**(4) “Provisionally accredited school”, a school building that is provisionally accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086, 161.092, and 161.238;**

**(5) “Unaccredited district”, a school district classified as unaccredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086 and 161.092;**

**(6) “Unaccredited school”, a school building that is classified as unaccredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086, 161.092, and 161.238.**

**167.730. 1. Beginning July 1, 2015, every public school in the metropolitan school district or in any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county, including charter schools, shall incorporate a response-to-intervention tiered approach to reading instruction to focus resources on students who are determined by their school to need additional or changed instruction to make progress as readers. At a minimum, the reading levels of students in kindergarten through tenth grade shall be assessed at the beginning and middle of the school year, and students who score below district benchmarks shall be provided with intensive, systematic reading instruction.**

**2. Beginning January 1, 2015, and every January first thereafter, every public school in the metropolitan school district or in any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county, including charter schools, shall prepare a personalized learning plan for any kindergarten or first grade student whose most recent school-wide reading assessment result shows the student is working below grade level unless the student has been determined by other means in the current school year to be working at grade level or above. The provisions of this section shall not apply to students otherwise served under an individualized education program, to students receiving services through a plan prepared under Section 504 of the Rehabilitation Act of 1973 that includes an element addressing reading below grade level, or to students determined to have limited English proficiency.**

**3. For any student in a metropolitan school district or in any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than**

one county that is required by this section to have a personalized learning plan, the student's main teacher shall consult with the student's parent or guardian during the preparation of the plan and shall consult, as appropriate, any district personnel or department of elementary and secondary education personnel with necessary expertise to develop such a plan. The school shall require the written consent of the parent or guardian to implement the plan; however, if the school is unsuccessful in contacting the parent or guardian by January fifteenth, the school may send a letter by certified mail to the student's last known address stating its intention to implement the plan by February first.

4. After implementing the personalized learning plan through the end of the student's first grade year, the school shall refer any student who still performs below grade level for assessment to determine if an individualized education program is necessary for the student. A student who is assessed as not needing an individualized education program but who is reading below grade level at the end of the first grade shall continue to be required to have a personalized learning plan until the student is reading at grade level.

5. Notwithstanding any provision of law to the contrary, any student in a metropolitan or in any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county who is not reading at second-grade level by the end of second grade may be promoted to the third grade only under one of the following circumstances:

(1) The school provides additional reading instruction during the summer and demonstrates the student is ready for third grade at the end of the summer school;

(2) The school provides a combined classroom in which the student continues with the same teacher, sometimes referred to as "looping". If the student in such a classroom is not reading at third-grade level by the end of third grade, the student shall be retained in third grade; or

(3) The student's parents or guardians have signed a notice that they prefer to have their student promoted although the student is reading below grade level. The school shall have the final determination on the issue of retention.

6. The metropolitan school district, any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county, and each charter school located in them shall provide in its annual report card under section 160.522 the numbers and percentages by grade from first grade to tenth grade in each school of any students at any grade level who have been promoted who have been determined as reading below grade level, except that no reporting shall permit the identification of an individual student.

167.825. 1. Any student who is enrolled in and attends a public school that is classified as unaccredited by the state board of education under the system of classification enacted under section 161.238 may transfer to another public school in the student's district of residence that offers the student's grade level of enrollment and that is accredited without provisions by the state board of education. However, no such transfer shall result in a class size and assigned enrollment in a receiving school that exceeds the standard level for class size and assigned enrollment as promulgated in the Missouri school improvement program's resource standards.

2. If the student chooses to attend a magnet school, an academically selective school, or a school with a competitive entrance process within his or her district of residence that has admissions requirements criteria, the student shall meet such admissions requirements criteria in order to attend.

**167.826. 1.** If a student residing in an unaccredited district and living within the attendance boundaries of an unaccredited school is unable to transfer to another accredited school within his or her district of residence under section 167.825, the student may transfer to an accredited school within an accredited district located in the same or an adjoining county. The student's district of residence shall pay the student's tuition as established in subsection 3 of this section, or, if applicable, subsection 4 of this section shall apply. A student who wishes to transfer to an accredited district shall provide proof that he or she resided in an unaccredited district and within the attendance boundaries of an unaccredited school for a minimum of twelve months prior to applying for a transfer.

**2.** No provisionally accredited district or provisionally accredited school shall be eligible to receive transfer students. No unaccredited district or unaccredited school shall be eligible to receive transfer students.

**3.** The rate of tuition to be charged by the district attended and paid by the sending district is the per pupil cost of maintaining the district's grade level grouping which includes the school attended. The cost of maintaining a grade level grouping shall be determined by the board of education of the district but in no case shall it exceed all amounts spent for teachers' wages, incidental purposes, debt service, maintenance, and replacements. The term "debt service", as used in this section, means expenditures for the retirement of bonded indebtedness and expenditures for interest on bonded indebtedness. Per pupil cost of the grade level grouping shall be determined by dividing the cost of maintaining the grade level grouping by the average daily pupil attendance. If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state board of education, and its decision in the matter shall be final. The school board of a receiving district, upon a majority vote of the board, may choose to charge a rate of tuition less than the amount that would otherwise be calculated under this subsection. If any receiving district chooses to charge a rate of tuition that is at least thirty percent less than the rate of tuition that would otherwise be calculated under this subsection, then the statewide assessment scores and all other performance data for those students whom the district received shall not be used for five school years when calculating the performance of the receiving district for purposes of the Missouri school improvement program.

**4.** If the school board of a receiving district, upon a majority vote of the board, chooses to charge a rate of tuition that is less than ninety percent of the rate that would otherwise be calculated under subsection 3 of this section, ten percent of the receiving district's tuition rate shall be paid from the supplemental tuition fund. There is hereby created in the state treasury the "Supplemental Tuition Fund". The fund shall consist of any moneys appropriated annually by the general assembly from general revenue to such fund, any moneys paid into the state treasury and required by law to be credited to such fund and any gifts, bequests or public or private donations to such fund. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

**5.** Each district shall have the right to establish and adopt, by objective means, a policy for desirable class size and student-teacher ratios. If a district adopts such a policy, it shall not be

required to accept any transfer students under this section that would violate its class size or student-teacher ratio. If a student seeking to transfer is denied admission to a district based on a lack of space under the district's policy, the student or the student's parent or guardian may appeal the ruling to the state board of education if he or she believes the district's policy is unduly restrictive to student transfers. The state board of education shall review the appropriateness of the district's policy and shall give special consideration to any district with a greater than average population of students that qualify for free and reduced lunch. If the state board of education finds that the district's policy is unduly restrictive to student transfers, it may limit the district's policy. The state board of education's decision shall be final.

6. When a district is declared unaccredited, it shall contract with any special school district located in the same or an adjoining county for the reimbursement of special education services provided by the special school district for transfer students who are residents of the unaccredited district.

7. The student's district of residence may provide transportation for him or her to attend another accredited district but shall not be required to do so.

167.827. 1. By January first annually, each accredited district, any portion of which is located in the same county or in an adjoining county to an unaccredited district shall report to the education authority for the county in which the unaccredited district is located the number of available enrollment slots by grade level.

2. Any education authority whose geographic area includes an unaccredited district or unaccredited school shall make information and assistance available to parents or guardians who intend to transfer their child from an unaccredited district to an accredited district under section 167.826.

3. The parent or guardian of a student who intends to enroll his or her child in an accredited district under the provisions of section 167.826 shall send initial notification to the education authority for the county in which he or she resides by March first for enrollment in the subsequent school year.

4. The education authority whose geographic area includes an unaccredited district shall assign those students who seek to transfer. The authority shall give first priority to students who live in the same household with any family member within the first or second degree of consanguinity who already attends an accredited school and who apply to attend the same accredited school. The authority shall then grant transfer requests in the order in which they were received. If insufficient enrollment slots are available for a student to be able to transfer, that student shall receive first priority the following school year. If sufficient enrollment slots are available, the authority shall provide each student a choice of three accredited schools to which he or she may transfer.

5. An education authority may deny a transfer to a student with a demonstrated and documented history of school discipline policy violations.

167.830. 1. There is hereby established the "St. Louis Area Education Authority". The authority is hereby constituted a public instrumentality and body politic and corporate, and the exercise by the authority of the powers conferred by this section shall be deemed and held to be the performance of an essential public function. Unless otherwise provided, the authority shall be subject to all general laws pertaining to the operation of seven-director districts as defined in section 160.011.

2. Whenever any metropolitan school district or any district located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants is assigned a classification designation of unaccredited by the state board of education, the authority shall coordinate student transfers from the unaccredited district to accredited districts that are located in the same or an adjoining county as the unaccredited district.

3. The authority shall consist of three members to be appointed by the governor, by and with the advice and consent of the senate, each of whom shall be a resident of the state and a resident of any county with a charter form of government and with more than nine hundred fifty thousand inhabitants or any city not within a county. Not more than two out of the three members of the authority shall be of the same political party. The length of term for members shall be six years except for the initial members, who shall be appointed in the following manner:

- (1) One member shall be appointed for a term of two years;
- (2) One member shall be appointed for a term of four years; and
- (3) One member shall be appointed for a term of six years.

4. The term length of each initial appointee shall be designated by the governor at the time of making the appointment. Upon the expiration of the initial terms of office, successor members shall be appointed for terms of six years and shall serve until their successors shall have been appointed and shall have qualified. Any member shall be eligible for reappointment. The governor shall fill any vacancy for the remainder of any unexpired term. Any member of the authority may be removed by the governor for misfeasance, malfeasance, willful neglect of duty, or other cause after notice and a public hearing unless the notice or hearing shall be expressly waived in writing.

5. Members of the authority shall receive no compensation for services, but shall be entitled to reimbursement for necessary expenses, including traveling and lodging expenses, incurred in the discharge of their duties. Any payment for expenses shall be paid from funds of the authority.

6. One member of the authority, designated by the governor for the purpose, shall call and convene the initial organizational meeting of the authority and shall serve as its president pro tempore. At the initial meeting and annually thereafter, the authority shall elect one of its members as president. The authority may appoint an executive director who shall not be a member of the authority and who shall serve at its pleasure. If an executive director is appointed, he or she shall receive such compensation as shall be fixed from time to time by action of the authority. The authority shall appoint a member as secretary who shall keep a record of the proceedings of the authority and shall be the custodian of all books, documents, and papers filed with the authority, the minute books or journal thereof, and its official seal. The secretary may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that the copies are true and correct copies, and all persons dealing with the authority may rely on such certificates. The authority, by resolution duly adopted, shall fix the powers and duties of its executive director as it may, from time to time, deem proper and necessary.

7. Meetings, records, and operations of the authority shall be subject to the provisions of chapter 610.

8. The authority shall have the following powers, together with all powers incidental thereto or

necessary for the performance thereof to:

- (1) Have perpetual succession as a body politic and corporate;
- (2) Adopt bylaws for the regulation of its affairs and the conduct of its business;
- (3) Sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties;
- (4) Establish and use a corporate seal and to alter the same at pleasure;
- (5) Maintain an office at such place or places in the state of Missouri as it may designate;
- (6) Employ an executive director and other staff as needed, with compensation fixed by the authority;
- (7) Coordinate student transfers from unaccredited districts located in any city not within a county or any county with a charter form of government and with more than nine hundred fifty thousand inhabitants to accredited districts in the same or an adjoining county, as provided by law;
- (8) Coordinate and collaborate with local districts and local governments for the transfer of students from unaccredited districts located in any city not within a county or any county with a charter form of government and with more than nine hundred fifty thousand inhabitants to accredited districts in the same or an adjoining county, as provided by law.

**167.833. 1.** There is hereby created in the state treasury the “St. Louis Area Education Authority Fund”. The fund shall consist of any gifts, bequests or public or private donations to such fund. Any moneys in the fund shall be used to fund the operations of the student transfer coordination authority. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of sections 167.830 and 167.833.

**2.** Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

**3.** The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

**167.836. 1.** There is hereby established the “Jackson County Education Authority”. The authority is hereby constituted a public instrumentality and body politic and corporate, and the exercise by the authority of the powers conferred by this section shall be deemed and held to be the performance of an essential public function. Unless otherwise provided, the authority shall be subject to all general laws pertaining to the operation of seven-director districts as defined in section 160.011.

**2.** Whenever any district located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants is assigned a classification designation of unaccredited by the state board of education, the authority shall coordinate student transfers from the unaccredited district to accredited districts that are located in the same or an adjoining county as the unaccredited district.

**3.** The authority shall consist of three members to be appointed by the governor, by and with the

advice and consent of the senate, each of whom shall be a resident of the state and a resident of any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants. Not more than two out of the three members of the authority shall be of the same political party. The length of term for members shall be six years except for the initial members, who shall be appointed in the following manner:

- (1) One member shall be appointed for a term of two years;
- (2) One member shall be appointed for a term of four years; and
- (3) One member shall be appointed for a term of six years.

4. The term length of each initial appointee shall be designated by the governor at the time of making the appointment. Upon the expiration of the initial terms of office, successor members shall be appointed for terms of six years and shall serve until their successors shall have been appointed and shall have qualified. Any member shall be eligible for reappointment. The governor shall fill any vacancy for the remainder of any unexpired term. Any member of the authority may be removed by the governor for misfeasance, malfeasance, willful neglect of duty, or other cause after notice and a public hearing unless the notice or hearing shall be expressly waived in writing.

5. Members of the authority shall receive no compensation for services, but shall be entitled to reimbursement for necessary expenses, including traveling and lodging expenses, incurred in the discharge of their duties. Any payment for expenses shall be paid from funds of the authority.

6. One member of the authority, designated by the governor for the purpose, shall call and convene the initial organizational meeting of the authority and shall serve as its president pro tempore. At the initial meeting and annually thereafter, the authority shall elect one of its members as president. The authority may appoint an executive director who shall not be a member of the authority and who shall serve at its pleasure. If an executive director is appointed, he or she shall receive such compensation as shall be fixed from time to time by action of the authority. The authority shall appoint a member as secretary who shall keep a record of the proceedings of the authority and shall be the custodian of all books, documents, and papers filed with the authority, the minute books or journal thereof, and its official seal. The secretary may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that the copies are true and correct copies, and all persons dealing with the authority may rely on such certificates. The authority, by resolution duly adopted, shall fix the powers and duties of its executive director as it may, from time to time, deem proper and necessary.

7. Meetings, records, and operations of the authority shall be subject to the provisions of chapter 610.

8. The authority shall have the following powers, together with all powers incidental thereto or necessary for the performance thereof to:

- (1) Have perpetual succession as a body politic and corporate;
- (2) Adopt bylaws for the regulation of its affairs and the conduct of its business;
- (3) Sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties;

**(4) Establish and use a corporate seal and to alter the same at pleasure;**

**(5) Maintain an office at such place or places in the state of Missouri as it may designate;**

**(6) Employ an executive director and other staff as needed, with compensation fixed by the authority;**

**(7) Coordinate student transfers from unaccredited districts located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants to accredited districts in the same or an adjoining county, as provided by law;**

**(8) Coordinate and collaborate with local districts and local governments for the transfer of students from unaccredited districts located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants to accredited districts in the same or an adjoining county, as provided by law.**

**167.839. 1. There is hereby created in the state treasury the “Jackson County Education Authority Fund”. The fund shall consist of any gifts, bequests or public or private donations to such fund. Any moneys in the fund shall be used to fund the operations of the student transfer coordination authority. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of sections 167.836 and 167.839.**

**2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.**

**3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.**

**167.842. 1. There is hereby established the “Statewide Education Authority”. The authority is hereby constituted a public instrumentality and body politic and corporate, and the exercise by the authority of the powers conferred by this section shall be deemed and held to be the performance of an essential public function. Unless otherwise provided, the authority shall be subject to all general laws pertaining to the operation of seven-director districts as defined in section 160.011. The jurisdiction of the statewide education authority shall be all counties except for:**

**(1) Any city not within a county;**

**(2) Any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants;**

**(3) Any county with a charter form of government and with more than nine hundred fifty thousand inhabitants;**

**2. Whenever any district located in the statewide education authority’s jurisdiction is assigned a classification designation of unaccredited by the state board of education, the authority shall coordinate student transfers from the unaccredited district to accredited districts that are located in the same or an adjoining county as the unaccredited district.**

**3. The authority shall consist of three members to be appointed by the governor, by and with the**



advice and consent of the senate, each of whom shall be a resident of the state and a resident of any county located in the authority's jurisdiction. Not more than two out of the three members of the authority shall be of the same political party. The length of term for members shall be six years except for the initial members, who shall be appointed in the following manner:

- (1) One member shall be appointed for a term of two years;
- (2) One member shall be appointed for a term of four years; and
- (3) One member shall be appointed for a term of six years.

4. The term length of each initial appointee shall be designated by the governor at the time of making the appointment. Upon the expiration of the initial terms of office, successor members shall be appointed for terms of six years and shall serve until their successors shall have been appointed and shall have qualified. Any member shall be eligible for reappointment. The governor shall fill any vacancy for the remainder of any unexpired term. Any member of the authority may be removed by the governor for misfeasance, malfeasance, willful neglect of duty, or other cause after notice and a public hearing unless the notice or hearing shall be expressly waived in writing.

5. Members of the authority shall receive no compensation for services, but shall be entitled to reimbursement for necessary expenses, including traveling and lodging expenses, incurred in the discharge of their duties. Any payment for expenses shall be paid from funds of the authority.

6. One member of the authority, designated by the governor for the purpose, shall call and convene the initial organizational meeting of the authority and shall serve as its president pro tempore. At the initial meeting and annually thereafter, the authority shall elect one of its members as president. The authority may appoint an executive director who shall not be a member of the authority and who shall serve at its pleasure. If an executive director is appointed, he or she shall receive such compensation as shall be fixed from time to time by action of the authority. The authority shall appoint a member as secretary who shall keep a record of the proceedings of the authority and shall be the custodian of all books, documents, and papers filed with the authority, the minute books or journal thereof, and its official seal. The secretary may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that the copies are true and correct copies, and all persons dealing with the authority may rely on such certificates. The authority, by resolution duly adopted, shall fix the powers and duties of its executive director as it may, from time to time, deem proper and necessary.

7. Meetings, records, and operations of the authority shall be subject to the provisions of chapter 610.

8. The authority shall have the following powers, together with all powers incidental thereto or necessary for the performance thereof to:

- (1) Have perpetual succession as a body politic and corporate;
- (2) Adopt bylaws for the regulation of its affairs and the conduct of its business;
- (3) Sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties;
- (4) Establish and use a corporate seal and to alter the same at pleasure;

**(5) Maintain an office at such place or places in the state of Missouri as it may designate;**

**(6) Employ an executive director and other staff as needed, with compensation fixed by the authority;**

**(7) Coordinate student transfers from unaccredited districts located in the jurisdiction of the statewide education authority to accredited districts in the same or an adjoining county, as provided by law;**

**(8) Coordinate and collaborate with local districts and local governments for the transfer of students from unaccredited districts located in the jurisdiction of the statewide education authority to accredited districts in the same or an adjoining county, as provided by law.**

**167.845. 1. There is hereby created in the state treasury the “Statewide Education Authority Fund”. The fund shall consist of any gifts, bequests, or public or private donations to such fund. Any moneys in the fund shall be used to fund the operations of the student transfer coordination authority. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of sections 167.842 and 167.845.**

**2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.**

**3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.**

**167.848. For purposes of sections 167.825 to 167.848, the following terms shall mean:**

**(1) “Accredited district”, a school district that is accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086 and 161.092;**

**(2) “Accredited school”, a school building that is accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086, 161.092, and 161.238;**

**(3) “Education authority” or “authority”, an education authority established under sections 167.830 to 167.845;**

**(4) “Provisionally accredited district”, a school district that is classified as provisionally accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086 and 161.092;**

**(5) “Provisionally accredited school”, a school building that is classified as provisionally accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086, 161.092, and 161.238;**

**(6) “Unaccredited district”, a school district classified as unaccredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086 and 161.092;**

**(7) “Unaccredited school”, a school building that is classified as unaccredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086, 161.092, and 161.238.**

**168.205. Notwithstanding any provision of law to the contrary, two or more school districts may share a superintendent who possesses a valid Missouri superintendent’s license. If any school districts choose to share a superintendent, they shall not be required to receive approval from the department of elementary and secondary education but may notify the department.**

171.031. 1. Each school board shall prepare annually a calendar for the school term, specifying the opening date and providing a minimum term of at least one hundred seventy-four days for schools with a five-day school week or one hundred forty-two days for schools with a four-day school week, and one thousand forty-four hours of actual pupil attendance. In addition, such calendar shall include six make-up days for possible loss of attendance due to inclement weather as defined in subsection 1 of section 171.033.

2. Each local school district may set its opening date each year, which date shall be no earlier than ten calendar days prior to the first Monday in September. No public school district shall select an earlier start date unless the district follows the procedure set forth in subsection 3 of this section.

3. A district may set an opening date that is more than ten calendar days prior to the first Monday in September only if the local school board first gives public notice of a public meeting to discuss the proposal of opening school on a date more than ten days prior to the first Monday in September, and the local school board holds said meeting and, at the same public meeting, a majority of the board votes to allow an earlier opening date. If all of the previous conditions are met, the district may set its opening date more than ten calendar days prior to the first Monday in September. The condition provided in this subsection must be satisfied by the local school board each year that the board proposes an opening date more than ten days before the first Monday in September.

4. If any local district violates the provisions of this section, the department of elementary and secondary education shall withhold an amount equal to one quarter of the state funding the district generated under section 163.031 for each date the district was in violation of this section.

5. The provisions of subsections 2 to 4 of this section shall not apply to school districts in which school is in session for twelve months of each calendar year.

6. The state board of education may grant an exemption from this section to a school district that demonstrates highly unusual and extenuating circumstances justifying exemption from the provisions of subsections 2 to 4 of this section. Any exemption granted by the state board of education shall be valid for one academic year only.

7. No school day for schools with a five-day school week shall be longer than seven hours except for:

**(1) Vocational schools which may adopt an eight-hour day in a metropolitan school district and a school district in a first class county adjacent to a city not within a county[, and];**

**(2) Any school that adopts a four-day school week in accordance with section 171.029; and**

**(3) A school district that increases the length of the school day for an unaccredited school or provisionally accredited school by following the procedure established in subsection 8 of this section.**

**8. The school board of any school district in this state, upon adoption of a resolution by a majority**

vote to authorize such action, may increase the length of the school day by ten percent for any provisionally accredited school or unaccredited school that has a student population, seventy-five percent of which is eligible for free and reduced lunch or seventy-five percent of which has been eligible in any of the three previous school years. Such a school district may also, by the adoption of a resolution by a majority vote to authorize such action, increase the annual hours of instruction above the required number of hours in subsection 1 of this section.

9. (1) There is hereby created in the state treasury the “Extended Learning Time Fund”. The fund shall consist of any moneys that may be appropriated by the general assembly from general revenue to such fund, any moneys paid into the state treasury and required by law to be credited to such fund and any gifts, bequests or public or private donations to such fund.

(2) The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of subsection 8 of this section.

(3) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(4) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

10. For purposes of this section, the following terms shall mean:

(1) “Provisionally accredited school”, a school building that is classified as provisionally accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086, 161.092, and 161.238;

(2) “Unaccredited school”, a school building that is classified as unaccredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086, 161.092, and 161.238.”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted, which motion failed.

Senator Pearce offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1490, Page 15, Section 161.092, Lines 6-10, by striking all of the underlined language on said lines; and

Further amend line 14, by inserting after the word “law” the following: “. **Such rules shall include a process to allow any district that is accredited without provision that does not meet the state board's promulgated criteria for a classification designation of accredited with distinction to propose alternative criteria to the state board to be classified as accredited with distinction.**”.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger offered SA 5:

## SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1490, Page 2, Section 160.514, Line 25 of said page, by inserting after “group” the following: “**for grades kindergarten through five**”; and further amend said line by inserting after “members.” the following: “**Each work group for grades six through twelve shall be composed of twenty-one members.**”; and

Further amend said bill and section, Page 3, Line 6 of said page, by inserting immediately after “representatives.” the following: “**The state board of education shall appoint to each work group for grades six through twelve two current or retired career and technical education teachers who also serve or served as an advisor to any of the nationally recognized career and technical education student organizations identified in subdivision (4) of subsection 2 of section 178.550. The state board of education shall appoint to each work group for grades six through twelve a member from State Technical College of Missouri and a member from the business community with a background in commerce, a business organization, association of businesses, or a business coalition. The state board of education shall also appoint to each work group for grades six through twelve an individual participating in an apprenticeship recognized by the department of labor and industrial relations or approved by the United States Department of Labor’s Office of Apprenticeship.**”.

Senator Munzlinger moved that the above amendment be adopted.

At the request of Senator Emery, **HB 1490**, with **SCS**, **SS** for **SCS** and **SA 5** (pending), was placed on the Informal Calendar.

## MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 510**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 689**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 525**, entitled:

An Act to amend chapter 196, RSMo, by adding thereto two new sections relating to food safety.

With House Amendment No. 1

## HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 525, Page 1, Section 196.056, Line 3, by deleting the word, “**shall**” and inserting in lieu thereof the word, “**may**”; and

Further amend said section and page, Line 18, by deleting the second occurrence of the word, “**and**”; and

Further amend said section, Page 2, Line 20, by inserting immediately after the word, “**inhabitants**” the words, “, **any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, and any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants**”; and

Further amend said bill, Page 2, Section 196.298, Line 30, by inserting after all of said line the following:

“**6. Nothing in this section shall be construed to prohibit the authority of the department of health and senior services or local health departments to conduct an investigation of a foodborne disease or outbreak.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 529**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 606**, entitled:

An Act to repeal section 379.901, RSMo, and to enact in lieu thereof one new section relating to prepaid legal service plans.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 610**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 609**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 675**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 526**.

With House Amendment Nos. 1, 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, House Amendment Nos. 5 and 6.

#### HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 526, Page 1, in the Title, Lines 2-3, by deleting “a database for workers’ compensation claims” and inserting in lieu thereof “workers’ compensation”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said line the following:

“287.140. 1. In addition to all other compensation paid to the employee under this section, the employee shall receive and the employer shall provide such medical, surgical, chiropractic, and hospital treatment, including nursing, custodial, ambulance and medicines, as may reasonably be required after the injury or disability, to cure and relieve from the effects of the injury. If the employee desires, he shall have the right to select his own physician, surgeon, or other such requirement at his own expense. Where the requirements are furnished by a public hospital or other institution, payment therefor shall be made to the proper authorities. Regardless of whether the health care provider is selected by the employer or is selected by the employee at the employee’s expense, the health care provider shall have the affirmative duty to communicate fully with the employee regarding the nature of the employee’s injury and recommended treatment exclusive of any evaluation for a permanent disability rating. Failure to perform such duty to communicate shall constitute a disciplinary violation by the provider subject to the provisions of chapter 620. When an employee is required to submit to medical examinations or necessary medical treatment at a place outside of the local or metropolitan area from the employee’s principal place of employment, the employer or its insurer shall advance or reimburse the employee for all necessary and reasonable expenses; except that an injured employee who resides outside the state of Missouri and who is employed by an employer located in Missouri shall have the option of selecting the location of services provided in this section either at a location within one hundred miles of the injured employee’s residence, place of injury or place of hire by the employer. The choice of provider within the location selected shall continue to be made by the employer. In case of a medical examination if a dispute arises as to what expenses shall be paid by the employer, the matter shall be presented to the legal advisor, the administrative law judge or the commission, who shall set the sum to be paid and same shall be paid by the employer prior to the medical examination. In no event, however, shall the employer or its insurer be required to pay transportation costs for a greater distance than two hundred fifty miles each way from place of treatment.

2. If it be shown to the division or the commission that the requirements are being furnished in such manner that there is reasonable ground for believing that the life, health, or recovery of the employee is endangered thereby, the division or the commission may order a change in the physician, surgeon, hospital or other requirement.

3. All fees and charges under this chapter shall be fair and reasonable, shall be subject to regulation by the division or the commission, or the board of rehabilitation in rehabilitation cases. A health care provider

shall not charge a fee for treatment and care which is governed by the provisions of this chapter greater than the usual and customary fee the provider receives for the same treatment or service when the payor for such treatment or service is a private individual or a private health insurance carrier. The division or the commission, or the board of rehabilitation in rehabilitation cases, shall also have jurisdiction to hear and determine all disputes as to such charges. A health care provider is bound by the determination upon the reasonableness of health care bills.

4. The division shall, by regulation, establish methods to resolve disputes concerning the reasonableness of medical charges, services, or aids. This regulation shall govern resolution of disputes between employers and medical providers over fees charged, whether or not paid, and shall be in lieu of any other administrative procedure under this chapter. The employee shall not be a party to a dispute over medical charges, nor shall the employee's recovery in any way be jeopardized because of such dispute. Any application for payment of additional reimbursement, as such term is used in 8 CSR 50-2.030, as amended, shall be filed not later than:

(1) Two years from the date the first notice of dispute of the medical charge was received by the health care provider if such services were rendered before July 1, 2013; and

(2) One year from the date the first notice of dispute of the medical charge was received by the health care provider if such services were rendered after July 1, 2013.

Notice shall be presumed to occur no later than five business days after transmission by certified United States mail. **For the purposes of this section, the phrase "notice of dispute" shall include, but not be limited to, an explanation of benefits delivered with final payment of the medical fee or charge that evidences that the payment is considered to be the full payment of the fee or charge.**

5. No compensation shall be payable for the death or disability of an employee, if and insofar as the death or disability may be caused, continued or aggravated by any unreasonable refusal to submit to any medical or surgical treatment or operation, the risk of which is, in the opinion of the division or the commission, inconsiderable in view of the seriousness of the injury. If the employee dies as a result of an operation made necessary by the injury, the death shall be deemed to be caused by the injury.

6. The testimony of any physician or chiropractic physician who treated the employee shall be admissible in evidence in any proceedings for compensation under this chapter, subject to all of the provisions of section 287.210.

7. Every hospital or other person furnishing the employee with medical aid shall permit its record to be copied by and shall furnish full information to the division or the commission, the employer, the employee or his dependents and any other party to any proceedings for compensation under this chapter, and certified copies of the records shall be admissible in evidence in any such proceedings.

8. The employer may be required by the division or the commission to furnish an injured employee with artificial legs, arms, hands, surgical orthopedic joints, or eyes, or braces, as needed, for life whenever the division or the commission shall find that the injured employee may be partially or wholly relieved of the effects of a permanent injury by the use thereof. The director of the division shall establish a procedure whereby a claim for compensation may be reactivated after settlement of such claim is completed. The claim shall be reactivated only after the claimant can show good cause for the reactivation of this claim and the claim shall be made only for the payment of medical procedures involving life-threatening surgical procedures or if the claimant requires the use of a new, or the modification, alteration or exchange of an



existing, prosthetic device. For the purpose of this subsection, “life threatening” shall mean a situation or condition which, if not treated immediately, will likely result in the death of the injured worker.

9. Nothing in this chapter shall prevent an employee being provided treatment for his injuries by prayer or spiritual means if the employer does not object to the treatment.

10. The employer shall have the right to select the licensed treating physician, surgeon, chiropractic physician, or other health care provider; provided, however, that such physicians, surgeons or other health care providers shall offer only those services authorized within the scope of their licenses. For the purpose of this subsection, subsection 2 of section 287.030 shall not apply.

11. Any physician or other health care provider who orders, directs or refers a patient for treatment, testing, therapy or rehabilitation at any institution or facility shall, at or prior to the time of the referral, disclose in writing if such health care provider, any of his partners or his employer has a financial interest in the institution or facility to which the patient is being referred, to the following:

(1) The patient;

(2) The employer of the patient with workers’ compensation liability for the injury or disease being treated;

(3) The workers’ compensation insurer of such employer; and

(4) The workers’ compensation adjusting company for such insurer.

12. Violation of subsection 11 of this section is a class A misdemeanor.

13. (1) No hospital, physician or other health care provider, other than a hospital, physician or health care provider selected by the employee at his own expense pursuant to subsection 1 of this section, shall bill or attempt to collect any fee or any portion of a fee for services rendered to an employee due to a work-related injury or report to any credit reporting agency any failure of the employee to make such payment, when an injury covered by this chapter has occurred and such hospital, physician or health care provider has received actual notice given in writing by the employee, the employer or the employer’s insurer. Actual notice shall be deemed received by the hospital, physician or health care provider five days after mailing by certified mail by the employer or insurer to the hospital, physician or health care provider.

(2) The notice shall include:

(a) The name of the employer;

(b) The name of the insurer, if known;

(c) The name of the employee receiving the services;

(d) The general nature of the injury, if known; and

(e) Where a claim has been filed, the claim number, if known.

(3) When an injury is found to be noncompensable under this chapter, the hospital, physician or other health care provider shall be entitled to pursue the employee for any unpaid portion of the fee or other charges for authorized services provided to the employee. Any applicable statute of limitations for an action for such fees or other charges shall be tolled from the time notice is given to the division by a hospital, physician or other health care provider pursuant to subdivision (6) of this subsection, until a determination

of noncompensability in regard to the injury which is the basis of such services is made, or in the event there is an appeal to the labor and industrial relations commission, until a decision is rendered by that commission.

(4) If a hospital, physician or other health care provider or a debt collector on behalf of such hospital, physician or other health care provider pursues any action to collect from an employee after such notice is properly given, the employee shall have a cause of action against the hospital, physician or other health care provider for actual damages sustained plus up to one thousand dollars in additional damages, costs and reasonable attorney's fees.

(5) If an employer or insurer fails to make payment for authorized services provided to the employee by a hospital, physician or other health care provider pursuant to this chapter, the hospital, physician or other health care provider may proceed pursuant to subsection 4 of this section with a dispute against the employer or insurer for any fees or other charges for services provided.

(6) A hospital, physician or other health care provider whose services have been authorized in advance by the employer or insurer may give notice to the division of any claim for fees or other charges for services provided for a work-related injury that is covered by this chapter, with copies of the notice to the employee, employer and the employer's insurer. Where such notice has been filed, the administrative law judge may order direct payment from the proceeds of any settlement or award to the hospital, physician or other health care provider for such fees as are determined by the division. The notice shall be on a form prescribed by the division.

14. The employer may allow or require an employee to use any of the employee's accumulated paid leave, personal leave, or medical or sick leave to attend to medical treatment, physical rehabilitation, or medical evaluations during work time. The intent of this subsection is to specifically supercede and abrogate any case law that contradicts the express language of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 526, Page 1, in the Title, Lines 2 through 3, by deleting the words “a database for workers’ compensation claims” and inserting in lieu thereof the words “workers’ compensation”; and

Further amend said bill and page, Section A, Line 2, by inserting immediately after all of said line the following:

“287.040. 1. Any person who has work done under contract on or about his premises which is an operation of the usual business which he there carries on shall be deemed an employer and shall be liable under this chapter to such contractor, his subcontractors, and their employees, when injured or killed on or about the premises of the employer while doing work which is in the usual course of his business.

2. The provisions of this section shall not apply to the owner of premises upon which improvements are being erected, demolished, altered or repaired by an independent contractor but such independent contractor shall be deemed to be the employer of the employees of his subcontractors and their subcontractors when employed on or about the premises where the principal contractor is doing work.

3. In all cases mentioned in the preceding subsections, the immediate contractor or subcontractor shall

be liable as an employer of the employees of his subcontractors. All persons so liable may be made parties to the proceedings on the application of any party. The liability of the immediate employer shall be primary, and that of the others secondary in their order, and any compensation paid by those secondarily liable may be recovered from those primarily liable, with attorney's fees and expenses of the suit. Such recovery may be had on motion in the original proceedings. No such employer shall be liable as in this section provided, if the employee was insured by his immediate or any intermediate employer.

4. The provisions of this section shall not apply to:

(1) The relationship between a for-hire motor carrier operating within a commercial zone as defined in section 390.020 or 390.041 or operating under a certificate issued by the Missouri department of transportation or by the United States Department of Transportation, or any of its subagencies, and an owner, as defined in subdivision (43) of section 301.010, and operator of a motor vehicle; **or**

(2) **An independent contractor providing application of agricultural materials used in crop dusting, seeding, spraying or fertilizing operations from an aircraft.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to Senate Committee Substitute for Senate Bill No. 526, Page 1, Line 11, by deleting all of said line and inserting in lieu thereof the following:

"loss benefits under subsection 11 of section 287.220.

287.957. The experience rating plan shall contain reasonable eligibility standards, provide adequate incentives for loss prevention, and shall provide for sufficient premium differentials so as to encourage safety. The uniform experience rating plan shall be the exclusive means of providing prospective premium adjustment based upon measurement of the loss-producing characteristics of an individual insured. An insurer may submit a rating plan or plans providing for retrospective premium adjustments based upon an insured's past experience. Such system shall provide for retrospective adjustment of an experience modification and premiums paid pursuant to such experience modification where a prior reserved claim produced an experience modification that varied by greater than fifty percent from the experience modification that would have been established based on the settlement amount of that claim. The rating plan shall prohibit an adjustment to the experience modification of an employer if the total medical cost does not exceed [one thousand dollars] **twenty percent of the current split point of primary and excess losses under the uniform experience rating plan**, and the employer pays all of the total medical costs and there is no lost time from the employment, other than the first three days or less of disability under subsection 1 of section 287.160, and no claim is filed. An employer opting to utilize this provision maintains an obligation to report the injury under subsection 1 of section 287.380.

287.975. 1. The advisory organization shall file with the director every pure premium rate, every manual of rating rules, every rating schedule and every change or amendment, or modification of any of the foregoing, proposed for use in this state no more than thirty days after it is distributed to members, subscribers or others.

2. The advisory organization which makes a uniform classification system for use in setting rates in this state shall collect data for two years after January 1, 1994, on the payroll differential between employers

within the construction group of code classifications, including, but not limited to, payroll costs of the employer and number of hours worked by all employees of the employer engaged in construction work. Such data shall be transferred to the department of insurance, financial institutions and professional registration in a form prescribed by the director of the department of insurance, financial institutions and professional registration, and the department shall compile the data and develop a formula to equalize premium rates for employers within the construction group of code classifications based on such payroll differential within three years after the data is submitted by the advisory organization.

3. The formula to equalize premium rates for employers within the construction group of code classifications established under subsection 2 of this section shall be the formula in effect on January 1, 1999. This subsection shall become effective on January 1, 2014.

**4. For the purposes of calculating the premium credit under the Missouri contracting classification premium adjustment program, an employer within the construction group of code classifications may submit to the advisory organization the required payroll record information for the first, second, third, or fourth calendar quarter of the year prior to the workers' compensation policy beginning or renewal date, provided that the employer clearly indicates for which quarter the payroll information is being submitted.”; and”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 526, Page 1, in the Title , Lines 2-3, by deleting “a database for workers’ compensation claims” and inserting in lieu thereof “workers’ compensation”; and

Further amend said bill and page, Section A, Line 2, by inserting the following after all of said line:

**“287.221. Notwithstanding the provisions of subsection 15 of section 287.220 to the contrary, the division shall be authorized to pay second injury fund liabilities for physical rehabilitation payments under subsection 3 of section 287.141, medical expenses under subsection 7 of section 287.220 incurred after a temporary or final award of future medical benefits, and wage loss benefits under subsection 11 of section 287.220.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to Senate Committee Substitute for Senate Bill No. 526, Page 1, Line 25, by deleting the words, “[fifteen] **twenty-five**” and inserting in lieu thereof the word, “fifteen”; and

Further amend said page, Line 29, by deleting the number “**twenty-five**” and inserting in lieu thereof the number, “**fifteen**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bill No. 526, Page 1, in the Title, Line 3, by deleting all of said line and inserting in lieu thereof “workers’ compensation.”; and

Further amend said bill and page, Section A, Line 2, by inserting the following after all of said line:

“287.120. 1. Every employer subject to the provisions of this chapter shall be liable, irrespective of negligence, to furnish compensation under the provisions of this chapter for personal injury or death of the employee by accident or occupational disease arising out of and in the course of the employee’s employment. Any employee of such employer shall not be liable for any injury or death for which compensation is recoverable under this chapter and every employer and employees of such employer shall be released from all other liability whatsoever, whether to the employee or any other person, except that an employee shall not be released from liability for injury or death if the employee engaged in an affirmative negligent act that purposefully and dangerously caused or increased the risk of injury. The term “accident” as used in this section shall include, but not be limited to, injury or death of the employee caused by the unprovoked violence or assault against the employee by any person.

2. The rights and remedies herein granted to an employee shall exclude all other rights and remedies of the employee, his wife, her husband, parents, personal representatives, dependents, heirs or next kin, at common law or otherwise, on account of such injury or death by accident or occupational disease, except such rights and remedies as are not provided for by this chapter.

3. No compensation shall be allowed under this chapter for the injury or death due to the employee’s intentional self-inflicted injury, but the burden of proof of intentional self-inflicted injury shall be on the employer or the person contesting the claim for allowance.

4. Where the injury is caused by the failure of the employer to comply with any statute in this state or any lawful order of the division or the commission, the compensation and death benefit provided for under this chapter shall be increased [fifteen] **twenty-five** percent.

5. Where the injury is caused by the failure of the employee to use safety devices where provided by the employer, or from the employee’s failure to obey any reasonable rule adopted by the employer for the safety of employees, the compensation and death benefit provided for herein shall be reduced [at least twenty-five but not more than fifty] **twenty-five** percent; provided, that it is shown that the employee had actual knowledge of the rule so adopted by the employer; and provided, further, that the employer had, prior to the injury, made a reasonable effort to cause his or her employees to use the safety device or devices and to obey or follow the rule so adopted for the safety of the employees.

6. (1) Where the employee fails to obey any rule or policy adopted by the employer relating to a drug-free workplace or the use of alcohol or nonprescribed controlled drugs in the workplace, the compensation and death benefit provided for herein shall be reduced fifty percent if the injury was sustained in conjunction with the use of alcohol or nonprescribed controlled drugs.

(2) If, however, the use of alcohol or nonprescribed controlled drugs in violation of the employer’s rule or policy is the proximate cause of the injury, then the benefits or compensation otherwise payable under this chapter for death or disability shall be forfeited.

(3) The voluntary use of alcohol to the percentage of blood alcohol sufficient under Missouri law to constitute legal intoxication shall give rise to a rebuttable presumption that the voluntary use of alcohol under such circumstances was the proximate cause of the injury. A preponderance of the evidence standard shall apply to rebut such presumption. An employee’s refusal to take a test for alcohol or a nonprescribed controlled substance, as defined by section 195.010, at the request of the employer shall result in the forfeiture of benefits under this chapter if the employer had sufficient cause to suspect use of alcohol or a

nonprescribed controlled substance by the claimant or if the employer's policy clearly authorizes post-injury testing.

7. Where the employee's participation in a recreational activity or program is the prevailing cause of the injury, benefits or compensation otherwise payable under this chapter for death or disability shall be forfeited regardless that the employer may have promoted, sponsored or supported the recreational activity or program, expressly or impliedly, in whole or in part. The forfeiture of benefits or compensation shall not apply when:

(1) The employee was directly ordered by the employer to participate in such recreational activity or program;

(2) The employee was paid wages or travel expenses while participating in such recreational activity or program; or

(3) The injury from such recreational activity or program occurs on the employer's premises due to an unsafe condition and the employer had actual knowledge of the employee's participation in the recreational activity or program and of the unsafe condition of the premises and failed to either curtail the recreational activity or program or cure the unsafe condition.

8. Mental injury resulting from work-related stress does not arise out of and in the course of the employment, unless it is demonstrated that the stress is work related and was extraordinary and unusual. The amount of work stress shall be measured by objective standards and actual events.

9. A mental injury is not considered to arise out of and in the course of the employment if it resulted from any disciplinary action, work evaluation, job transfer, layoff, demotion, termination or any similar action taken in good faith by the employer.

10. The ability of a firefighter to receive benefits for psychological stress under section 287.067 shall not be diminished by the provisions of subsections 8 and 9 of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 5

Amend Senate Committee Substitute for Senate Bill No. 526, Page 1, Section A, Line 2, by inserting after said line the following:

“287.090. 1. This chapter shall not apply to:

(1) Employment of farm labor, domestic servants in a private home, including family chauffeurs, or occasional labor performed for and related to a private household;

(2) Qualified real estate agents and direct sellers as those terms are defined in Section 3508 of Title 26 United States Code;

(3) Employment where the person employed is an inmate confined in a state prison, penitentiary or county or municipal jail, or a patient or resident in a state mental health facility, and the labor or services of such inmate, patient, or resident are exclusively on behalf of the state, county or municipality having custody of said inmate, patient, or resident. Nothing in this subdivision is intended to exempt employment where the inmate, patient or resident was hired by a state, county or municipal government agency after direct competition with persons who are not inmates, patients or residents and the compensation for the

position of employment is not contingent upon or affected by the worker's status as an inmate, patient or resident;

(4) Except as provided in section 287.243, volunteers of a tax-exempt organization which operates under the standards of Section 501(c)(3) **or Section 501(c)(19)** of the federal Internal Revenue Code, where such volunteers are not paid wages, but provide services purely on a charitable and voluntary basis;

(5) Persons providing services as adjudicators, sports officials, or contest workers for interscholastic activities programs or similar amateur youth programs who are not otherwise employed by the sponsoring school, association of schools or nonprofit tax-exempt organization sponsoring the amateur youth programs.

2. Any employer exempted from this chapter as to the employer or as to any class of employees of the employer pursuant to the provisions of subdivision (3) of subsection 1 of section 287.030 or pursuant to subsection 1 of this section may elect coverage as to the employer or as to the class of employees of that employer pursuant to this chapter by purchasing and accepting a valid workers' compensation insurance policy or endorsement, or by written notice to the group self-insurer of which the employer is a member. The election shall take effect on the effective date of the workers' compensation insurance policy or endorsement, or by written notice to the group self-insurer of which the employer is a member, and continue while such policy or endorsement remains in effect or until further written notice to the group self-insurer of which the employer is a member. Any such exempt employer or employer with an exempt class of employees may withdraw such election by the cancellation or nonrenewal of the workers' compensation insurance policy or endorsement, or by written notice to the group self-insurer of which the employer is a member. In the event the employer is electing out of coverage as to the employer, the cancellation shall take effect on the later date of the cancellation of the policy or the filing of notice pursuant to subsection 3 of this section.

3. Any insurance company authorized to write insurance under the provisions of this chapter in this state shall file with the division a memorandum on a form prescribed by the division of any workers' compensation policy issued to any employer and of any renewal or cancellation thereof.

4. The mandatory coverage sections of this chapter shall not apply to the employment of any member of a family owning a family farm corporation as defined in section 350.010 or to the employment of any salaried officer of a family farm corporation organized pursuant to the laws of this state, but such family members and officers of such family farm corporations may be covered under a policy of workers' compensation insurance if approved by a resolution of the board of directors. Nothing in this subsection shall be construed to apply to any other type of corporation other than a family farm corporation.

5. A corporation may withdraw from the provisions of this chapter, when there are no more than two owners of the corporation who are also the only employees of the corporation, by filing with the division notice of election to be withdrawn. The election shall take effect and continue from the date of filing with the division by the corporation of the notice of withdrawal from liability under this chapter. Any corporation making such an election may withdraw its election by filing with the division a notice to withdraw the election, which shall take effect thirty days after the date of the filing, or at such later date as may be specified in the notice of withdrawal."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend Senate Committee Substitute for Senate Bill No. 526, Page 1, in the Title, Line 2-3, by deleting the phrase “a database for”; and

Further amend said bill and said page, Section A, Line 2, by inserting immediately after said line the following:

“287.037. **1.** Notwithstanding any other provision of law to the contrary, beginning January 1, 1997, those insurance companies providing coverage pursuant to chapter 287, to a limited liability company, as defined in section 347.015, shall provide coverage for the employees of the limited liability company who are not members of the limited liability company. Members of the limited liability company, as defined in section 347.015, shall also be provided coverage pursuant to chapter 287, but such members may individually elect to reject such coverage by providing a written notice of such rejection on a form developed by the department of insurance, financial institutions and professional registration to the limited liability company and its insurer. Failure to provide notice to the limited liability company shall not be grounds for any member to claim that the rejection of such coverage is not legally effective. A member who elects to reject such coverage shall not thereafter be entitled to workers’ compensation benefits under the policy, even if serving or working in the capacity of an employee of the limited liability company, at least until such time as said member provides the limited liability company and its insurer with a written notice which rescinds the prior rejection of such coverage. The written notice which rescinds the prior rejection of such coverage shall be on a form developed by the department of insurance, financial institutions and professional registration. Any rescission shall be prospective in nature and shall entitle the member only to such benefits which accrue on or after the date the notice of rescission form is received by the insurance company.

**2. Notwithstanding any other provision of law to the contrary, beginning January 1, 2015, a shareholder of an S corporation, as defined in subsection 1 of section 143.471, with at least forty percent or greater interest in the S corporation may individually elect to reject coverage under this chapter by providing a written notice of such rejection to the S corporation and its insurer. Failure to provide notice to the S corporation shall not be grounds for any shareholder to claim that the rejection of such coverage is not legally effective. A shareholder who elects to reject such coverage shall not thereafter be entitled to workers’ compensation benefits under the policy, even if serving or working in the capacity of an employee of the S corporation, at least until such time as such shareholder provides the S corporation and its insurer with a written notice which rescinds the prior rejection of such coverage. Any rescission shall be prospective in nature and shall entitle the shareholder only to such benefits which accrue on or after the date the notice of rescission is received by the insurance company.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **HB 1361**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.



**RESOLUTIONS**

Senator Romine offered Senate Resolution No. 1968, regarding Bart A. Mitchell, which was adopted.

Senator Romine offered Senate Resolution No. 1969, regarding Frances Haug, which was adopted.

Senator Romine offered Senate Resolution No. 1970, regarding Arleen Crews, which was adopted.

Senator Pearce offered Senate Resolution No. 1971, regarding Dayna Marinan, which was adopted.

Senator Schmitt offered Senate Resolution No. 1972, regarding Zachary David McWhorter Plocek, Valley Park, which was adopted.

Senator Nieves offered Senate Resolution No. 1973, regarding the Gateway Blue Star Mothers, which was adopted.

Senator Brown offered Senate Resolution No. 1974, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. James Baker, Salem, which was adopted.

Senator Romine offered Senate Resolution No. 1975, regarding Gary Mims, which was adopted.

Senator Richard offered Senate Resolution No. 1976, regarding Tobin Schultz, which was adopted.

Senator Cunningham offered Senate Resolution No. 1977, regarding Tom Poindexter, Mountain View, which was adopted.

Senator Sater offered Senate Resolution No. 1978, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Joe Holder, Cassville, which was adopted.

Senator Lamping offered Senate Resolution No. 1979, regarding Ilion Lou Miller, Saint Louis, which was adopted.

**INTRODUCTIONS OF GUESTS**

Senator Schaefer introduced to the Senate, Miss Missouri 2013 Shelby Ringdahl, Randy Boehm, Ryan Bross, Jay MacLellan, Mark Schlemper, Becca Nowlin, Marissa Peterson and Susan Reeves.

Senator Keaveny introduced to the Senate, Caleb Cavarretta.

Senator Brown introduced to the Senate, teachers, sponsors and students from Camdenton High School.

Senator Keaveny introduced to the Senate, the Physician of the Day, Matt Casey, M.D., Brentwood.

Senator Richard introduced to the Senate, Lynda Holverson and Susie Tomlin, Neosho.

Senator Romine introduced to the Senate, Donna Hickman, Bonne Terre.

Senator Dixon introduced to the Senate, teacher Tammy Ames and fourteen eighth grade students from St. Joseph Catholic Academy, Springfield.

On behalf of Senator Lager, the President introduced to the Senate, students from South Nodaway School, Barnard.

Senator Richard introduced to the Senate, students from Avila School.

Senator Curls introduced to the Senate, Evie Craig and representatives from ReStart; and Christine

McDonald and Susan Sneed, Kansas City.

On behalf of Senator Nieves, the President introduced to the Senate, his wife, Julie Nieves, Phil Wall, Sue and Jessica Bailey, Zach and Kathy Fuchs, Steve Kendrick and Luis Santiago.

Senator Walsh introduced to the Senate, teacher Jane Zappia and twenty seventh grade students from Christ, Light of the Nations Catholic School, St. Louis; and Emmanuel Akpan, Grace Gerhart, Miya Ward and Zac Tiberghien were made honorary pages.

Senator Chappelle-Nadal introduced to the Senate, Kathy Bell, Dawn Chapman and Debi Disser.

Senator Pearce introduced to the Senate, Dayna Marinan.

Senator Dixon introduced to the Senate, Angela Burlison and her daughters, Reese and Aubrey, Springfield; and Reese and Aubrey were made honorary pages.

Senator Keaveny introduced to the Senate, former State Representatives Tom Villa, St. Louis; and Phil Barry, St. Louis County.

Senator Nasheed introduced to the Senate, Ahmad Jordan, Jefferson City.

On motion of Senator Richard, the Senate adjourned under the rules.

#### SENATE CALENDAR

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SIXTIETH DAY—WEDNESDAY, APRIL 30, 2014

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#### FORMAL CALENDAR

#### THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt (In  
Fiscal Oversight)

SS for SCS for SB 850-Munzlinger (In  
Fiscal Oversight)

SB 958-Nieves

SS for SB 866-Wasson

SB 964-Lager (In Fiscal Oversight)

#### SENATE BILLS FOR PERFECTION

1. SB 858-Kraus

2. SB 669-Schaaf

3. SB 821-Schaefer

4. SB 823-Dixon, et al, with SCS

5. SB 973-Brown

6. SB 815-Pearce, with SCS

7. SBs 798 & 514-Emery, with SCS

8. SB 865-Nieves

9. SB 619-Nieves, with SCS

10. SB 531-Nasheed

## HOUSE BILLS ON THIRD READING

- |  |   |
|--|---|
| <ol style="list-style-type: none"> <li>1. HCS for HB 1729 (Parson) (In Fiscal Oversight)</li> <li>2. HB 1132-Engler, et al, with SCS (Romine) (In Fiscal Oversight)</li> <li>3. HCS for HB 1459 (Romine)</li> <li>4. HCS for HB 1439, with SCS (Nieves)</li> <li>5. HB 1126-Dugger and Entlicher, with SCS (Kraus)</li> <li>6. HB 1238-Hinson, with SCS (Dixon)</li> <li>7. HCS for HB 1710 (Kraus)</li> <li>8. HCS for HB 1237 (Schaaf) (In Fiscal Oversight)</li> <li>9. HCS for HB 2040 (Brown)</li> <li>10. HB 1430-Jones (110), et al</li> <li>11. HB 1092-Lant, et al, with SCS (Dixon)</li> <li>12. HB 1184-Grisamore (Justus)</li> <li>13. HCS for HB 1217, with SCS (Cunningham)</li> </ol> | <ol style="list-style-type: none"> <li>14. HCS for HRB 1299, with SCS (Lager)</li> <li>15. HB 1359-Flanigan (Kehoe)</li> <li>16. HCS for HB 1631, with SCS (Lager)</li> <li>17. HB 1390-Thomson, et al, with SCS (Pearce)</li> <li>18. HB 1506-Franklin, et al (Brown) (In Fiscal Oversight)</li> <li>19. HCS for HBs 1307 &amp; 1313, with SCS (Sater)</li> <li>20. HB 1455-Hoskins and Fraker (Kraus)</li> <li>21. HCS for HB 1779, with SCS (Schaaf)</li> <li>22. HB 1603-Conway and Kratky (Schaaf)</li> <li>23. HCS for HB 1557 (Munzlinger)</li> <li>24. HCS for HB 1514, with SCS (Parson)</li> <li>25. HB 1791-Fitzwater, et al, with SCS (Romine)</li> </ol> |
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## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

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|---|---|
| <p>SB 490-Lager and Kehoe, with SCS</p> <p>SB 494-Pearce, with SS (pending)</p> <p>SB 501-Keaveny</p> <p>SB 518-Sater, with SCS, SA 2 &amp; SA 1 to SA 2 (pending)</p> <p>SB 519-Sater, with SS &amp; SA 1 (pending)</p> <p>SB 538-Keaveny and Holsman</p> <p>SS for SB 543-Munzlinger</p> <p>SB 550-Sater, with SCS</p> <p>SB 553-Emery, with SCS, SS for SCS &amp; SA 1 (pending)</p> <p>SB 555-Nasheed, with SS &amp; SA 1 (pending)</p> <p>SB 566-Sifton</p> <p>SB 573-Munzlinger, with SCS</p> <p>SB 578-Kraus</p> | <p>SB 589-Brown, with SCS, SA 2 &amp; SA 1 to SA 2 (pending)</p> <p>SB 617-Parson, with SCS, SS for SCS &amp; SA 1 (pending)</p> <p>SB 634-Parson, with SCS</p> <p>SB 641-Emery</p> <p>SB 644-LeVota</p> <p>SB 659-Wallingford, with SCS</p> <p>SB 663-Munzlinger, with SCS</p> <p>SB 671-Sater</p> <p>SB 712-Walsh, with SCS &amp; SS for SCS (pending)</p> <p>SB 724-Parson</p> <p>SB 739-Romine, with SCS, SS for SCS, SA 1 &amp; SA 1 to SA 1 (pending)</p> |
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SB 755-Wallingford	SB 875-Sater, with SCS
SB 762-Schaefer, with SCS	SB 887-Schaefer
SB 769-Pearce, with SCS	SB 888-Parson, with SCS
SB 770-Wallingford, with SCS	SB 912-Wasson and Justus, with SCS
SBs 787 & 804-Justus, with SCS	(pending)
SB 790-Dixon	SB 919-Justus
SB 814-Brown	SB 966-Lager
SB 819-Wallingford, with SCS	SJR 25-Lager, with SS, SA 2 & SA 1 to SA 2
SB 830-Parson	(pending)
SBs 836 & 800-Munzlinger, with SCS	SJR 26-Lager, with SS & SA 1 (pending)
SB 846-Richard	SJR 34-Emery
SB 848-LeVota, with SCS	SJR 42-Schmitt, with SS (pending)

#### HOUSE BILLS ON THIRD READING

HB 1173-Burlison, et al, with SA 1 & SA 1 to SA 1 (pending) (Brown)	HB 1495-Torpey and Hicks, with SCS & SS for SCS (pending) (Dixon)
HCS for HB 1295, with SCS (Kraus)	HCS for HB 1501, with SS (pending) (Schmitt)
HB 1490-Bahr, et al, with SCS, SS for SCS & SA 5 (pending) (Emery)	HCS for HJR 47 (Kraus)
	HJR 72-Richardson, et al (Silvey)

#### CONSENT CALENDAR

##### House Bills

Reported 4/15

HCS for HB 1510 (Brown)	HB 1081-McCaherty, et al (Romine)
HB 1724-Davis and Lynch (Brown)	

#### SENATE BILLS WITH HOUSE AMENDMENTS

SS for SB 525-Cunningham, with HCS, as amended	SB 600-Sater, with HCS, as amended
SCS for SB 526-Cunningham, with HA 1, HA 2, HA 3, as amended, HA 4, as amended, HA 5 & HA 6	SB 606-Dixon, with HCS
	SS for SB 694-Cunningham, with HCS

**BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES****Requests to Recede or Grant Conference**

HB 1361-Gosen and Wieland, with SS, as  
amended (Parson) (House requests  
Senate recede or grant conference)

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# Journal of the Senate

## SECOND REGULAR SESSION

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**SIXTIETH DAY—WEDNESDAY, APRIL 30, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Death and life are in the power of the tongue.” (Proverbs 18:21)

Heavenly Father, we gather to debate and discern what we know; we have the power to change or reinforce what we believe is right and necessary for our people and so we pray that You, O Lord, will help us exercise such power with wisdom, trusting always in Your guidance. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Kehoe offered Senate Resolution No. 1980, regarding Harrison Kuper Scott, Jefferson City, which was adopted.

Senator Pearce offered Senate Resolution No. 1981, regarding Dr. Roger Drake, Fayette, which was adopted.

**HOUSE BILLS ON THIRD READING**

Senator Emery moved that **HB 1490**, with **SCS, SS** for **SCS** and **SA 5** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SA 5** was again taken up.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf assumed the Chair.

Senator Pearce offered **SA 6**:

**SENATE AMENDMENT NO. 6**

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1490, Page 11, Section 160.526, Line 20, by striking the closing bracket that appears on said line; and further amend said line by striking the following: "After the effective date of this section,"; and further amend lines 21-23 by striking all of the underlined language on said line; and further amend line 24 by striking the opening bracket that appears on said line.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

Senator Emery offered **SA 7**:

**SENATE AMENDMENT NO. 7**

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1490, Page 7, Section 160.518, Lines 6-7 of said page, by striking "criterion-referenced" and inserting in lieu thereof the following: "**norm-referenced standardized**".

Senator Emery moved that the above amendment be adopted, which motion prevailed.

Senator Wallingford offered **SA 8**:

**SENATE AMENDMENT NO. 8**

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1490, Page 20, Section 161.096, Line 24 of said page, by inserting after all of said line the following:

**"3. Each violation of any provision of any rule promulgated pursuant to this section by an organization or entity other than a state agency, a school board, or an institution shall be punishable by a civil penalty of up to one thousand dollars. A second violation by the same organization or entity involving the education records and privacy of the same student shall be punishable by a civil penalty of up to five thousand dollars. Any subsequent violation by the same organization or entity involving the education records and privacy of the same student shall be punishable by a civil penalty of up to**

ten thousand dollars. Each violation involving a different individual education record or a different individual student shall be considered a separate violation for purposes of civil penalties.

**4. The attorney general shall have the authority to enforce compliance with this section by investigation and subsequent commencement of a civil action, to seek civil penalties for violations of this section, and to seek appropriate injunctive relief, including but not limited to a prohibition on obtaining personally identifiable information for an appropriate time period. In carrying out such investigation and in maintaining such civil action, the attorney general or any deputy or assistant attorney general is authorized to subpoena witnesses, compel their attendance, examine them under oath, and require that any books, records, documents, papers, or electronic records relevant to the inquiry be turned over for inspection, examination, or audit. Subpoenas issued under this subsection may be enforced pursuant to the Missouri rules of civil procedure.”.**

Senator Wallingford moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe offered **SA 9**:

**SENATE AMENDMENT NO. 9**

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1490, Page 21, Section 161.855, Lines 21-28 of said page, by striking said lines and inserting in lieu thereof the following:

**“4. The department of elementary and secondary education shall pilot assessments from the Smarter Balanced Assessment Consortium during the 2014-2015 school year. Notwithstanding any rules adopted by the state board of education or the department of elementary and secondary education in place at the effective date of this section, for the 2014-2015 school year, and at any time the state board of education or the department of elementary and secondary education implement a new statewide assessment system, develop new academic performance standards, or make changes to the Missouri School Improvement Program, the first year of such statewide assessment system and performance indicators shall be utilized as a base year for the purposes of calculating a district’s annual performance report under the Missouri School Improvement Program. The school years that follow a base year shall be used to calculate growth on the district’s annual performance report.”.**

Senator Kehoe moved that the above amendment be adopted, which motion prevailed.

Senator Parson offered **SA 10**:

**SENATE AMENDMENT NO. 10**

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1490, Page 3, Section 160.514, Line 6, by inserting after “representatives.” the following: **“Work group members shall be chosen in such a manner as to represent the geographic diversity of the state.”.**

Senator Parson moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 11**:

**SENATE AMENDMENT NO. 11**

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1490, Page 22, Section 161.855, Line 8, by inserting immediately after said line the following:



**“Section 1. 1. Notwithstanding any provision of law to the contrary, no district shall be penalized for any reason under the Missouri school improvement program if students who graduate from the district complete career and technical education programs approved by the department of elementary and secondary education but are not placed in occupations directly related to their training within six months of graduating.**

**2. The department of elementary and secondary education shall revise its scoring guide under the Missouri school improvement program to provide additional points to districts that create and enter into a partnership with area career centers, industry, and business to develop and implement a pathway for students to:**

**(1) Enroll in a program of career and technical education while in high school;**

**(2) Participate and complete an internship or apprenticeship during their final year of high school; and**

**(3) Obtain the industry certification or credentials applicable to their program or career and technical education and internship or apprenticeship.**

**3. Each school district shall be authorized to create and enter into a partnership with area career centers, industry, and business to develop and implement a pathway for students to:**

**(1) Enroll in a program of career and technical education while in high school;**

**(2) Participate and complete an internship or apprenticeship during their final year of high school; and**

**(3) Obtain the industry certification or credentials applicable to their program or career and technical education and internship or apprenticeship.**

**4. The department of elementary and secondary education shall permit student scores on a nationally recognized examination that demonstrates achievement of workplace employability skills to count towards credit for college and career readiness standards on the Missouri school improvement program or any subsequent school accreditation or improvement program.”; and**

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted.

Senator Kraus assumed the Chair.

Senator Schaaf assumed the Chair.

Senator Munzlinger offered **SA 1 to SA 11**, which was read:

**SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 11**

Amend Senate Amendment No. 11 to Senate Substitute for Senate Committee Substitute for House Bill No. 1490, Page 1, Section 1, Line 14, by inserting immediately after “centers,” the following: **“comprehensive high schools,”**; and further amend page 2 of said amendment, line 2, by inserting immediately after “centers,” the following: **“comprehensive high schools,”**.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

**SA 11**, as amended, was again taken up.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 12**:

SENATE AMENDMENT NO. 12

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1490, Page 20, Section 161.096, Line 24 of said page, by inserting after all of said line the following:

“161.097. 1. The state board of education **and the coordinating board for higher education** shall **jointly** establish standards and procedures by which [it] **they** will evaluate all teacher training institutions in this state [for the approval of teacher education programs. The state board of education shall not require teacher training institutions to meet national or regional accreditation as a part of its standards and procedures in making those evaluations, but it may accept such accreditations in lieu of such approval if standards and procedures set thereby are at least as stringent as those set by the board. The state board of education’s standards and procedures for evaluating teacher training institutions shall equal or exceed those of national or regional accrediting associations] **with the guidance and approval of the Missouri advisory board for educator preparation, established under subsection 3 of this section. Notwithstanding any other provision of law, the state board of education and the coordinating board for higher education shall approve all teacher education programs and any changes to the standards and procedures by which such programs are evaluated.**

2. With regard to requirements for state educator certification, any assessments of general education, content knowledge, pedagogical knowledge, dispositions, or any other measures required for state educator certification and any related competencies shall be approved by the state board of education and the coordinating board for higher education prior to utilization in any manner. Any assessment used to measure student learning that is used in the evaluation of educator preparation programs and any related competencies shall be approved by the state board of education and the coordinating board for higher education prior to utilization in any manner. All current assessments and competencies and those under development, as well as future competencies and assessments shall be approved by the state board of education and the coordinating board for higher education prior to utilization in any manner. Qualifying scores on such assessments shall be established jointly by the state board of education and the coordinating board for higher education. No quotas on educator preparation programs or limits on program size shall be imposed by the state board of education without consent of the coordinating board for higher education and the institution of higher education providing the program. However, institutions of higher education may establish quotas for specific educator preparation programs as deemed necessary.

3. There is hereby established within the department of elementary and secondary education the “Missouri Advisory Board for Educator Preparation”, hereinafter referred to as “MABEP”. The MABEP shall advise the state board of education and the coordinating board for higher education as provided in this section and foster meaningful and substantial collaboration and transparency among all stakeholders in the interest of improving the quality of teacher preparation in Missouri.

4. MABEP shall be comprised of fourteen members, who shall be appointed to serve as follows:

five members to be appointed by the state board of education upon the recommendation of the commissioner of education, two members selected by the commissioner of education, five members to be selected by the coordinating board for higher education upon the recommendation of the commissioner of higher education, and two members to be selected by the commissioner of higher education. The length of term for each member shall be two years. The commissioner of education and the commissioner of higher education shall serve as ex officio members and shall not vote on matters before MABEP.

**5. The composition of MABEP shall consist of the following:**

- (1) One practicing certificated public school teacher who has served as a cooperating teacher, selected by the state board of education upon the recommendation of the commissioner of education;**
- (2) One practicing certified public school administrator with direct responsibility for the evaluation of educators, selected by the state board of education upon the recommendation of the commissioner of education;**
- (3) One practicing human resource director for a public school district with direct responsibility for hiring, selected by the state board of education upon the recommendation of the commissioner of education;**
- (4) One practicing certificated public school teacher who has served as a teacher mentor, selected by the state board of education upon the recommendation of the commissioner of education;**
- (5) One practicing certified superintendent of a public school, selected by the state board of education upon the recommendation of the commissioner of education;**
- (6) One representative of the public, to be appointed by the commissioner of education. This representative shall not be a member of a local school board or educator preparation governing board, nor shall he or she be, or ever in the past have been, employed as a public school educator, or in a professional position at any post-secondary education program;**
- (7) One employee of the department of elementary and secondary education whose responsibilities include educator preparation or certification, selected by the commissioner of education;**
- (8) One faculty member or administrator within an approved educator preparation program, selected by the coordinating board for higher education upon the recommendation of the commissioner of higher education;**
- (9) One dean or director of a college or program of educator preparation for a public four-year university, selected by the coordinating board for higher education upon the recommendation of the commissioner of higher education;**
- (10) One director of an educator preparation program of a public community college, selected by the coordinating board for higher education upon the recommendation of the commissioner of higher education;**
- (11) One dean of a college of education or director of an educator preparation program of an independent college or university, selected by the coordinating board for higher education upon the recommendation of the commissioner of higher education;**

**(12) One dean or director within an approved educator preparation program, selected by the coordinating board for higher education upon the recommendation of the commissioner of higher education;**

**(13) One student enrolled in an approved program of educator preparation of a public or independent university, selected by the commissioner of higher education;**

**(14) One employee of the department of higher education with responsibility for the approval of degree programs, selected by the commissioner of higher education.**

**6. The duties and responsibilities of the MABEP shall include, but not be limited to the following:**

**(1) Meet with the commissioners of education and higher education to discuss policy issues and proposed changes to standards and practices related to educator preparation programs;**

**(2) Make public recommendations to the commissioners of education and higher education regarding the criteria and procedures for evaluation and approval of educator degree programs and educator preparation programs within the state;**

**(3) Facilitate communication by inviting subject matter and educator preparation experts and constituencies with an interest in developing highly effective educators to meet with the MABEP for the purpose of identifying, reviewing and promoting best practices and standards in educator preparation and professional development;**

**(4) Present annually to the state board of education and coordinating board for higher education to discuss matters of mutual interest in the area of educator preparation as presented by the rotating chairs of MABEP; and**

**(5) Maintain a record of deliberations for the purpose of keeping constituent groups with an interest in the maintenance of quality education preparation programs informed of issues and recommendations.**

**7. MABEP shall meet at least two times annually, but may meet more frequently if requested by either board, the commissioner of education or the commissioner of higher education. MABEP shall be chaired by the commissioner of education, or his or her designee, and the commissioner of higher education, or his or her designee, in alternating years.**

**8. Upon approval by the state board of education of the teacher education program at a particular teacher training institution, any person who graduates from that program, and who meets other requirements which the state board of education shall prescribe by rule, regulation and statute shall be granted a certificate or license to teach in the public schools of this state. The state board of education shall not approve any teacher education program prior to receiving a formal recommendation on that approval from the coordinating board for higher education.** However, no such rule or regulation shall require that the program from which the person graduates be accredited by any national or regional accreditation association.

**3. Notwithstanding any provision in the law to the contrary, the state board of education may accredit a graduate law school and any graduate of such an accredited law school shall be allowed to take the examination for admission to the bar of Missouri.”; and**

Further amend said bill, Page 22, Section 161.855, line 8 of said page, by inserting after all of said line

the following:

“173.005. 1. There is hereby created a “Department of Higher Education”, and the division of higher education of the department of education is abolished and all its powers, duties, functions, personnel and property are transferred as provided by the Reorganization Act of 1974, Appendix B, RSMo.

2. The commission on higher education is abolished and all its powers, duties, personnel and property are transferred by type I transfer to the “Coordinating Board for Higher Education”, which is hereby created, and the coordinating board shall be the head of the department. The coordinating board shall consist of nine members appointed by the governor with the advice and consent of the senate, and not more than five of its members shall be of the same political party. None of the members shall be engaged professionally as an educator or educational administrator with a public or private institution of higher education at the time appointed or during his term. Moreover, no person shall be appointed to the coordinating board who shall not be a citizen of the United States, and who shall not have been a resident of the state of Missouri two years next prior to appointment, and at least one but not more than two persons shall be appointed to said board from each congressional district. The term of service of a member of the coordinating board shall be six years and said members, while attending the meetings of the board, shall be reimbursed for their actual expenses. Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term. The coordinating board may, in order to carry out the duties prescribed for it in subsections 1, 2, 3, 7, and 8 of this section, employ such professional, clerical and research personnel as may be necessary to assist it in performing those duties, but this staff shall not, in any fiscal year, exceed twenty-five full-time equivalent employees regardless of the source of funding. In addition to all other powers, duties and functions transferred to it, the coordinating board for higher education shall have the following duties and responsibilities:

(1) The coordinating board for higher education shall have approval of proposed new degree programs to be offered by the state institutions of higher education. **In the case of educator preparation programs, the coordinating board for higher education and the state board of education shall jointly approve proposed new degree programs offered by state institutions of higher education;**

(2) The coordinating board for higher education may promote and encourage the development of cooperative agreements between Missouri public four-year institutions of higher education which do not offer graduate degrees and Missouri public four-year institutions of higher education which do offer graduate degrees for the purpose of offering graduate degree programs on campuses of those public four-year institutions of higher education which do not otherwise offer graduate degrees. Such agreements shall identify the obligations and duties of the parties, including assignment of administrative responsibility. Any diploma awarded for graduate degrees under such a cooperative agreement shall include the names of both institutions inscribed thereon. Any cooperative agreement in place as of August 28, 2003, shall require no further approval from the coordinating board for higher education. Any costs incurred with respect to the administrative provisions of this subdivision may be paid from state funds allocated to the institution assigned the administrative authority for the program. The provisions of this subdivision shall not be construed to invalidate the provisions of subdivision (1) of this subsection;

(3) In consultation with the heads of the institutions of higher education affected and against a background of carefully collected data on enrollment, physical facilities, manpower needs, **and** institutional missions, the coordinating board for higher education shall establish guidelines for appropriation requests

by those institutions of higher education; however, other provisions of the Reorganization Act of 1974 notwithstanding, all funds shall be appropriated by the general assembly to the governing board of each public four-year institution of higher education which shall prepare expenditure budgets for the institution;

(4) No new state-supported senior colleges or residence centers shall be established except as provided by law and with approval of the coordinating board for higher education;

(5) The coordinating board for higher education shall establish admission guidelines consistent with institutional missions;

(6) The coordinating board for higher education shall require all public two-year and four-year higher education institutions to replicate best practices in remediation identified by the coordinating board and institutions from research undertaken by regional educational laboratories, higher education research organizations, and similar organizations with expertise in the subject, and identify and reduce methods that have been found to be ineffective in preparing or retaining students or that delay students from enrollment in college-level courses;

(7) The coordinating board shall establish policies and procedures for institutional decisions relating to the residence status of students;

(8) The coordinating board shall establish guidelines to promote and facilitate the transfer of students between institutions of higher education within the state and, with the assistance of the committee on transfer and articulation, shall require all public two-year and four-year higher education institutions to create by July 1, 2014, a statewide core transfer library of at least twenty-five lower division courses across all institutions that are transferable among all public higher education institutions. The coordinating board shall establish policies and procedures to ensure such courses are accepted in transfer among public institutions and treated as equivalent to similar courses at the receiving institutions. The coordinating board shall develop a policy to foster reverse transfer for any student who has accumulated enough hours in combination with at least one public higher education institution in Missouri that offers an associate degree and one public four-year higher education institution in the prescribed courses sufficient to meet the public higher education institution's requirements to be awarded an associate degree. The department of elementary and secondary education shall maintain the alignment of the assessments found in section 160.518 and successor assessments with the competencies previously established under this subdivision for entry-level collegiate courses in English, mathematics, foreign language, sciences, and social sciences associated with an institution's general education core;

(9) The coordinating board shall collect the necessary information and develop comparable data for all institutions of higher education in the state. The coordinating board shall use this information to delineate the areas of competence of each of these institutions and for any other purposes deemed appropriate by the coordinating board;

(10) Compliance with requests from the coordinating board for institutional information and the other powers, duties and responsibilities, herein assigned to the coordinating board, shall be a prerequisite to the receipt of any funds which the coordinating board is responsible for administering;

(11) If any institution of higher education in this state, public or private, willfully fails or refuses to follow any lawful guideline, policy or procedure established or prescribed by the coordinating board, or knowingly deviates from any such guideline, or knowingly acts without coordinating board approval where

such approval is required, or willfully fails to comply with any other lawful order of the coordinating board, the coordinating board may, after a public hearing, withhold or direct to be withheld from that institution any funds the disbursement of which is subject to the control of the coordinating board, or may remove the approval of the institution as an approved institution within the meaning of section 173.1102. If any such public institution willfully disregards board policy, the commissioner of higher education may order such institution to remit a fine in an amount not to exceed one percent of the institution's current fiscal year state operating appropriation to the board. The board shall hold such funds until such time that the institution, as determined by the commissioner of higher education, corrects the violation, at which time the board shall refund such amount to the institution. If the commissioner determines that the institution has not redressed the violation within one year, the fine amount shall be deposited into the general revenue fund, unless the institution appeals such decision to the full coordinating board, which shall have the authority to make a binding and final decision, by means of a majority vote, regarding the matter. However, nothing in this section shall prevent any institution of higher education in this state from presenting additional budget requests or from explaining or further clarifying its budget requests to the governor or the general assembly; and

(12) (a) As used in this subdivision, the term "out-of-state public institution of higher education" shall mean an education institution located outside of Missouri that:

- a. Is controlled or administered directly by a public agency or political subdivision or is classified as a public institution by the state;
- b. Receives appropriations for operating expenses directly or indirectly from a state other than Missouri;
- c. Provides a postsecondary course of instruction at least six months in length leading to or directly creditable toward a degree or certificate;
- d. Meets the standards for accreditation by an accrediting body recognized by the United States Department of Education or any successor agency; and
- e. Permits faculty members to select textbooks without influence or pressure by any religious or sectarian source.

(b) No later than July 1, 2008, the coordinating board shall promulgate rules regarding:

- a. The board's approval process of proposed new degree programs and course offerings by any out-of-state public institution of higher education seeking to offer degree programs or course work within the state of Missouri; and
- b. The board's approval process of degree programs and courses offered by any out-of-state public institutions of higher education that, prior to July 1, 2008, were approved by the board to operate a school in compliance with the provisions of sections 173.600 to 173.618. The rules shall ensure that, as of July 1, 2008, all out-of-state public institutions seeking to offer degrees and courses within the state of Missouri are evaluated in a manner similar to Missouri public higher education institutions. Such out-of-state public institutions shall be held to standards no lower than the standards established by the coordinating board for program approval and the policy guidelines of the coordinating board for data collection, cooperation, and resolution of disputes between Missouri institutions of higher education under this section. Any such out-of-state public institutions of higher education wishing to continue operating within this state must be approved by the board under the rules promulgated under this subdivision. The coordinating board may

charge and collect fees from out-of-state public institutions to cover the costs of reviewing and assuring the quality of programs offered by out-of-state public institutions. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

(c) Nothing in this subdivision or in section 173.616 shall be construed or interpreted so that students attending an out-of-state public institution are considered to be attending a Missouri public institution of higher education for purposes of obtaining student financial assistance.

3. The coordinating board shall meet at least four times annually with an advisory committee who shall be notified in advance of such meetings. The coordinating board shall have exclusive voting privileges. The advisory committee shall consist of thirty-two members, who shall be the president or other chief administrative officer of the University of Missouri; the chancellor of each campus of the University of Missouri; the president of each state-supported four-year college or university, including Harris-Stowe State University, Missouri Southern State University, Missouri Western State University, and Lincoln University; the president of State Technical College of Missouri; the president or chancellor of each public community college district; and representatives of each of five accredited private institutions selected biennially, under the supervision of the coordinating board, by the presidents of all of the state's privately supported institutions; but always to include at least one representative from one privately supported community college, one privately supported four-year college, and one privately supported university. The conferences shall enable the committee to advise the coordinating board of the views of the institutions on matters within the purview of the coordinating board.

4. The University of Missouri, Lincoln University, and all other state-governed colleges and universities, chapters 172, 174, 175, and others, are transferred by type III transfers to the department of higher education subject to the provisions of subsection 2 of this section.

5. The state historical society, chapter 183, is transferred by type III transfer to the University of Missouri.

6. The state anatomical board, chapter 194, is transferred by type II transfer to the department of higher education.

7. All the powers, duties and functions vested in the division of public schools and state board of education relating to community college state aid and the supervision, formation of districts and all matters otherwise related to the state's relations with community college districts and matters pertaining to community colleges in public school districts, chapters 163, 178, and others, are transferred to the coordinating board for higher education by type I transfer. Provided, however, that all responsibility for administering the federal-state programs of vocational-technical education, except for the 1202a postsecondary educational amendments of 1972 program, shall remain with the department of elementary and secondary education. The department of elementary and secondary education and the coordinating board for higher education shall cooperate in developing the various plans for vocational-technical education; however, the ultimate responsibility will remain with the state board of education.



8. All the powers, duties, functions, and properties of the state poultry experiment station, chapter 262, are transferred by type I transfer to the University of Missouri, and the state poultry association and state poultry board are abolished. In the event the University of Missouri shall cease to use the real estate of the poultry experiment station for the purposes of research or shall declare the same surplus, all real estate shall revert to the governor of the state of Missouri and shall not be disposed of without legislative approval.”; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Silvey offered **SA 13**, which was read:

#### SENATE AMENDMENT NO. 13

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1490, Page 21, Section 161.855, Line 12, by inserting after “2015.” the following: “**The work groups shall not recommend the common core state standards to the state board of education.**”; and further amend line 18 by inserting after “year.” the following: “**The state board of education shall not adopt and implement the common core state standards.**”.

Senator Silvey moved that the above amendment be adopted.

President Pro Tem Dempsey assumed the Chair.

At the request of Senator Emery, **HB 1490**, with **SCS**, **SS** for **SCS** and **SA 13** (pending), was placed on the Informal Calendar.

#### REPORTS OF STANDING COMMITTEES

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HBs 1735** and **1618**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 1389**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 1189**, begs leave to report that it has considered the same and recommends that the bill do pass, with Senate Committee Amendment No. 1.

#### SENATE COMMITTEE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill No. 1189, Page 1, Section 170.017, Line 6, by striking the word “may” and inserting in lieu thereof the word “**shall**”; and further amend lines 8-9, by striking the following: “The credit cannot be substituted for any course which requires a statewide end-of-course assessment.”.

Also,

Mr. President: Your Committee on Education, to which was referred **HB 1206**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **SB 820**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1270**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS for HB 1300**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 1617**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **HCS for HB 1296**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following report:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **HB 1190**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS for HB 1090**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was

referred **HB 1651**, begs leave to report that it has considered the same and recommends that the bill do pass.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1792**, entitled:

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof two new sections relating to the conveyance of state property easements.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 612**.

With House Amendment Nos. 1, 2, 3, 4 and 5.

### HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 612, Page 1, in the Title, Line 3, by deleting the words, “nonresident entertainer income taxes” and inserting in lieu thereof the words “taxation”; and

Further amend said bill, Page 5, Section 143.183, Line 142, by inserting immediately after said line the following:

“143.451. 1. Missouri taxable income of a corporation shall include all income derived from sources within this state.

2. A corporation described in subdivision (1) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income from sources within this state, including that from the transaction of business in this state and that from the transaction of business partly done in this state and partly done in another state or states. However:

(1) Where income results from a transaction partially in this state and partially in another state or states, and income and deductions of the portion in the state cannot be segregated, then such portions of income and deductions shall be allocated in this state and the other state or states as will distribute to this state a portion based upon the portion of the transaction in this state and the portion in such other state or states.

(2) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner, or the manner set forth in subdivision (3) of this subsection:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state.

(b) The amount of sales which are transactions wholly in this state shall be added to one-half of the

amount of sales which are transactions partly within this state and partly without this state, and the amount thus obtained shall be divided by the total sales or in cases where sales do not express the volume of business, the amount of business transacted wholly in this state shall be added to one-half of the amount of business transacted partly in this state and partly outside this state and the amount thus obtained shall be divided by the total amount of business transacted, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction.

(c) For the purposes of this subdivision, a transaction involving the sale of tangible property is:

a. “Wholly in this state” if both the seller’s shipping point and the purchaser’s destination point are in this state;

b. “Partly within this state and partly without this state” if the seller’s shipping point is in this state and the purchaser’s destination point is outside this state, or the seller’s shipping point is outside this state and the purchaser’s destination point is in this state;

c. Not “wholly in this state” or not “partly within this state and partly without this state” only if both the seller’s shipping point and the purchaser’s destination point are outside this state.

(d) For purposes of this subdivision:

a. The purchaser’s destination point shall be determined without regard to the FOB point or other conditions of the sale; and

b. The seller’s shipping point is determined without regard to the location of the seller’s principle office or place of business.

(3) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state;

(b) The amount of sales which are transactions in this state shall be divided by the total sales, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction;

(c) For the purposes of this subdivision, a transaction involving the sale of tangible property is:

a. “In this state” if the purchaser’s destination point is in this state;

b. Not “in this state” if the purchaser’s destination point is outside this state;

(d) For purposes of this subdivision, the purchaser’s destination point shall be determined without regard to the FOB point or other conditions of the sale and shall not be in this state if the purchaser received the tangible personal property from the seller in this state for delivery to the purchaser’s location outside this state;

**(e) For the purposes of this subdivision, a transaction involving the sale other than the sale of tangible property is “in this state” if the taxpayer’s market for the sales is in this state. The taxpayer’s market for sales is in this state:**

**a. In the case of sale, rental, lease, or license of real property, if and to the extent the property is located in this state;**

**b. In the case of rental, lease, or license of tangible personal property, if and to the extent the property is located in this state;**

**c. In the case of sale of a service, if and to the extent the benefit of the service is delivered to a purchaser location in this state; and**

**d. In the case of intangible property:**

**(i) That is rented, leased, or licensed, if and to the extent the property is used in this state by the rentee, lessee, or licensee, provided that intangible property utilized in marketing a good or service to a consumer is “used in this state” if that good or service is purchased by a consumer who is in this state. Franchise fees or royalties received for the rent, lease, license, or use of a trade name, trademark, service mark, or franchise system or provides a right to conduct business activity in a specific geographic area are “used in this state” to the extent the franchise location is in this state; and**

**(ii) That is sold, if and to the extent the property is used in this state, provided that:**

**i. A contract right, government license, or similar intangible property that authorizes the holder to conduct a business activity in a specific geographic area is “used in this state” if the geographic area includes all or part of this state;**

**ii. Receipts from intangible property sales that are contingent on the productivity, use, or disposition of the intangible property shall be treated as receipts from the rental, lease, or licensing of such intangible property under item (i) of this subparagraph; and**

**iii. All other receipts from a sales of intangible property shall be excluded from the numerator and denominator of the sales factor;**

**(f) If the state or states of assignment under paragraph (e) of this subdivision cannot be determined, the state or states of assignment shall be reasonably approximated;**

**(g) If the state of assignment cannot be determined under paragraph (e) of this subdivision or reasonably approximated under paragraph (f) of this subdivision, such sales shall be excluded from the denominator of the sales factor;**

**(h) The director may prescribe such rules and regulations as necessary or appropriate to carry out the purposes of this section.**

**(4) For purposes of this subsection, the following words shall, unless the context otherwise requires, have the following meaning:**

**(a) “Administration services” include, but are not limited to, clerical, fund or shareholder accounting, participant record keeping, transfer agency, bookkeeping, data processing, custodial, internal auditing, legal and tax services performed for an investment company;**

(b) “Affiliate”, the meaning as set forth in 15 U.S.C. Section 80a-2(a)(3)(C), as may be amended from time to time;

(c) “Distribution services” include, but are not limited to, the services of advertising, servicing, marketing, underwriting or selling shares of an investment company, but, in the case of advertising, servicing or marketing shares, only where such service is performed by a person who is, or in the case of a closed end company, was, either engaged in the services of underwriting or selling investment company shares or affiliated with a person that is engaged in the service of underwriting or selling investment company shares. In the case of an open end company, such service of underwriting or selling shares must be performed pursuant to a contract entered into pursuant to 15 U.S.C. Section 80a-15(b), as from time to time amended;

(d) “Investment company”, any person registered under the federal Investment Company Act of 1940, as amended from time to time, (the act) or a company which would be required to register as an investment company under the act except that such person is exempt to such registration pursuant to Section 80a-3(c)(1) of the act;

(e) “Investment funds service corporation” includes any corporation or S corporation doing business in the state which derives more than fifty percent of its gross income in the ordinary course of business from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. An investment funds service corporation shall include any corporation or S corporation providing management services as an investment advisory firm registered under Section 203 of the Investment Advisors Act of 1940, as amended from time to time, regardless of the percentage of gross revenues consisting of fees from management services provided to or on behalf of an investment company;

(f) “Management services” include but are not limited to, the rendering of investment advice directly or indirectly to an investment company making determinations as to when sales and purchases of securities are to be made on behalf of the investment company, or the selling or purchasing of securities constituting assets of an investment company, and related activities, but only where such activity or activities are performed:

a. Pursuant to a contract with the investment company entered into pursuant to 15 U.S.C. Section 80a-15(a), as from time to time amended;

b. For a person that has entered into such contract with the investment company; or

c. For a person that is affiliated with a person that has entered into such contract with an investment company;

(g) “Qualifying sales”, gross income derived from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. For purposes of this section, “gross income” is defined as that amount of income earned from qualifying sources without deduction of expenses related to the generation of such income;

(h) “Residence”, presumptively the fund shareholder’s mailing address on the records of the investment company. If, however, the investment company or the investment funds service corporation has actual

knowledge that the fund shareholder's primary residence or principal place of business is different than the fund shareholder's mailing address such presumption shall not control. To the extent an investment funds service corporation does not have access to the records of the investment company, the investment funds service corporation may employ reasonable methods to determine the investment company fund shareholder's residence.

(5) Notwithstanding other provisions of law to the contrary, qualifying sales of an investment funds service corporation, or S corporation, shall be considered wholly in this state only to the extent that the fund shareholders of the investment companies, to which the investment funds service corporation, or S corporation, provide services, are resided in this state. Wholly in this state qualifying sales of an investment funds service corporation, or S corporation, shall be determined as follows:

(a) By multiplying the investment funds service corporation's total dollar amount of qualifying sales from services provided to each investment company by a fraction, the numerator of which shall be the average of the number of shares owned by the investment company's fund shareholders resided in this state at the beginning of and at the end of the investment company's taxable year that ends with or within the investment funds service corporation's taxable year, and the denominator of which shall be the average of the number of shares owned by the investment company's fund shareholders everywhere at the beginning of and at the end of the investment company's taxable year that ends with or within the investment funds service corporation's taxable year;

(b) A separate computation shall be made to determine the wholly in this state qualifying sales from each investment company. The qualifying sales for each investment company shall be multiplied by the respective percentage of each fund, as calculated pursuant to paragraph (a) of this subdivision. The product of this equation shall result in the wholly in this state qualifying sales. The qualifying sales for each investment company which are not wholly in this state will be considered wholly without this state;

(c) To the extent an investment funds service corporation has sales which are not qualifying sales, those nonqualified sales shall be apportioned to this state based on the methodology utilized by the investment funds service corporation without regard to this subdivision.

3. Any corporation described in subdivision (1) of subsection 1 of section 143.441 organized in this state or granted a permit to operate in this state for the transportation or care of passengers shall report its gross earnings within the state on intrastate business and shall also report its gross earnings on all interstate business done in this state which report shall be subject to inquiry for the purpose of determining the amount of income to be included in Missouri taxable income. The previous sentence shall not apply to a railroad.

4. A corporation described in subdivision (2) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources in this state and all income from each transportation service wholly within this state, from each service where the only lines of such corporation used are those in this state, and such proportion of revenue from each service where the facilities of such corporation in this state and in another state or states are used, as the mileage used over the lines of such corporation in the state shall bear to the total mileage used over the lines of such corporation. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in

fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year of any fixed transportation facilities, real estate and improvements in this state leased from any other railroad shall be divided by the sum of the total amount of investment of such corporation on December thirty-first of each year in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year, of any fixed transportation facilities, real estate and improvements leased from any other railroad. Where any fixed transportation facilities, real estate or improvements are leased by more than one railroad, such portion of the value shall be used by each railroad as the rental paid by each shall bear to the rental paid by all lessees. The income shall be multiplied by the fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

5. A corporation described in subdivision (3) of subsection 1 of section 143.441 shall include in its Missouri taxable income one-half of the net income from the operation of a bridge between this and another state. If any such bridge is owned or operated by a railroad corporation or corporations, or by a corporation owning a railroad corporation using such bridge, then the figures for operation of such bridge may be included in the return of such railroad or railroads; or if such bridge is owned or operated by any other corporation which may now or hereafter be required to file an income tax return, one-half of the income or loss to such corporation from such bridge may be included in such return by adding or subtracting same to or from another net income or loss shown by the return.

6. A corporation described in subdivision (4) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources within this state. Income shall include revenue from each telephonic or telegraphic service rendered wholly within this state; from each service rendered for which the only facilities of such corporation used are those in this state; and from each service rendered over the facilities of such corporation in this state and in other state or states, such proportion of such revenue as the mileage involved in this state shall bear to the total mileage involved over the lines of said company in all states. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in telephonic or telegraphic facilities, real estate and improvements thereon, shall be divided by the amount of the total investment of such corporation on December thirty-first of each year in telephonic or telegraphic facilities, real estate and improvements. The income of the taxpayer shall be multiplied by fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

7. From the income determined in subsections 2, 3, 4, 5 and 6 of this section to be from all sources within this state shall be deducted such of the deductions for expenses in determining Missouri taxable income as were incurred in this state to produce such income and all losses actually sustained in this state in the business of the corporation.

8. If a corporation derives only part of its income from sources within Missouri, its Missouri taxable income shall only reflect the effect of the following listed deductions to the extent applicable to Missouri. The deductions are: (a) its deduction for federal income taxes pursuant to section 143.171, and (b) the effect on Missouri taxable income of the deduction for net operating loss allowed by Section 172 of the Internal Revenue Code. The extent applicable to Missouri shall be determined by multiplying the amount that would otherwise affect Missouri taxable income by the ratio for the year of the Missouri taxable income of the corporation for the year divided by the Missouri taxable income for the year as though the corporation had derived all of its income from sources within Missouri. For the purpose of the preceding sentence, Missouri



taxable income shall not reflect the listed deductions.

9. Any investment funds service corporation organized as a corporation or S corporation which has any shareholders resided in this state shall be subject to Missouri income tax as provided in this chapter.”; and

Further amend said bill, Page 5, Section 143.183, Line 142, by inserting immediately after said line the following:

“144.021. **1.** The purpose and intent of sections 144.010 to 144.510 is to impose a tax upon the privilege of engaging in the business, in this state, of selling tangible personal property and those services listed in section 144.020 and for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri. Except as otherwise provided, the primary tax burden is placed upon the seller making the taxable sales of property or service and is levied at the rate provided for in section 144.020. Excluding subdivision (9) of subsection 1 of section 144.020 and sections 144.070, 144.440 and 144.450, the extent to which a seller is required to collect the tax from the purchaser of the taxable property or service is governed by section 144.285 and in no way affects sections 144.080 and 144.100, which require all sellers to report to the director of revenue their “gross receipts”, defined herein to mean the aggregate amount of the sales price of all sales at retail, and remit tax at four percent of their gross receipts.

**2. If the amount of taxes due under sections 144.010 to 144.510 is modified by a decision of:**

**(1) The director of revenue;**

**(2) The administrative hearing commission; or**

**(3) A court of competent jurisdiction;**

**which changes which items of tangible personal property or services are taxable, all affected sellers shall be notified by the department of revenue before such modification shall take effect for such sellers. Failure of the department of revenue to notify a seller shall relieve such seller of liability for taxes that would be due under the modification until the seller is notified. The waiver of liability for taxes under this subsection shall only apply to sellers actively selling the type of tangible personal property or service affected by the decision on the date the decision is made or handed down.**

144.054. 1. As used in this section, the following terms mean:

(1) “Processing”, any mode of treatment, act, or series of acts performed upon materials to transform or reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(2) “Recovered materials”, those materials which have been diverted or removed from the solid waste stream for sale, use, reuse, or recycling, whether or not they require subsequent separation and processing.

2. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, electrical energy and gas, whether natural, artificial, or propane, water, coal, and energy sources, chemicals,

machinery, equipment, and materials used or consumed in the manufacturing, processing, compounding, mining, or producing of any product, or used or consumed in the processing of recovered materials, or used in research and development related to manufacturing, processing, compounding, mining, or producing any product. The exemptions granted in this subsection shall not apply to local sales taxes as defined in section 32.085 and the provisions of this subsection shall be in addition to any state and local sales tax exemption provided in section 144.030.

3. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, all utilities, machinery, and equipment used or consumed directly in television or radio broadcasting and all sales and purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a contractor for use in fulfillment of any obligation under a defense contract with the United States government, and all sales and leases of tangible personal property by any county, city, incorporated town, or village, provided such sale or lease is authorized under chapter 100, and such transaction is certified for sales tax exemption by the department of economic development, and tangible personal property used for railroad infrastructure brought into this state for processing, fabrication, or other modification for use outside the state in the regular course of business.

4. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, all sales and purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a private partner for use in completing a project under sections 227.600 to 227.669.

**5. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, all materials, manufactured goods, machinery and parts, electrical energy and gas, whether natural, artificial or propane, water, coal and other energy sources, chemicals, soaps, detergents, cleaning and sanitizing agents, and other ingredients and materials inserted by commercial or industrial laundries to treat, clean, and sanitize textiles in facilities which process at least five hundred pounds of textiles per hour and at least sixty thousand pounds per week..”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 612, Page 5, Section 143.183, Line 142, by

inserting immediately after said line the following:

“143.221. 1. Every employer required to deduct and withhold tax under sections 143.011 to 143.996 shall, for each calendar quarter, on or before the last day of the month following the close of such calendar quarter, file a withholding return as prescribed by the director of revenue and pay over to the director of revenue or to a depository designated by the director of revenue the taxes so required to be deducted and withheld.

2. Where the aggregate amount required to be deducted and withheld by any employer exceeds fifty dollars for at least two of the preceding twelve months, the director, by regulation, may require a monthly return. The due dates of the monthly return and the monthly payment or deposit for the first two months of each quarter shall be by the fifteenth day of the succeeding month. The due dates of the monthly return and the monthly payment or deposit for the last month of each quarter shall be by the last day of the succeeding month. The director may increase the amount required for making a monthly employer withholding payment and return to more than fifty dollars or decrease such required amount, however, the decreased amount shall not be less than fifty dollars.

3. Where the aggregate amount required to be deducted and withheld by any employer is less than [twenty] **one hundred** dollars in each of the four preceding quarters, **and to the extent the employer does not meet the requirements in subsection 1 or 2 of this section for filing a withholding return on a quarterly or monthly basis**, the employer shall file a withholding return for a calendar year. The director, by regulation, may also allow other employers to file annual returns. The return shall be filed and the taxes if any paid on or before January thirty-first of the succeeding year. The director may increase the amount required for making an annual employer withholding payment and return to more than [twenty] **one hundred** dollars or decrease such required amount, however, the decreased amount shall not be less than [twenty] **one hundred** dollars.

4. If the director of revenue finds that the collection of taxes required to be deducted and withheld by an employer may be jeopardized by delay, he may require the employer to pay over the tax or make a return at any time. A lien outstanding with regard to any tax administered by the director shall be a sufficient basis for this action.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 612, Page 5, Section 143.183, Line 142, by inserting after all of said section the following:

“144.080. 1. Every person receiving any payment or consideration upon the sale of property or rendering of service, subject to the tax imposed by the provisions of sections 144.010 to 144.525, is exercising the taxable privilege of selling the property or rendering the service at retail and is subject to the tax levied in section 144.020. The person shall be responsible not only for the collection of the amount of the tax imposed on the sale or service to the extent possible under the provisions of section 144.285, but shall, on or before the last day of the month following each calendar quarterly period of three months, file a return with the director of revenue showing the person’s gross receipts and the amount of tax levied in section 144.020 for the preceding quarter, and shall remit to the director of revenue, with the return, the taxes levied in section 144.020, except as provided in subsections 2 and 3 of this section. The director of revenue may promulgate

rules or regulations changing the filing and payment requirements of sellers, but shall not require any seller to file and pay more frequently than required in this section.

2. Where the aggregate amount levied and imposed upon a seller by section 144.020 is in excess of two hundred and fifty dollars for either the first or second month of a calendar quarter, the seller shall file a return and pay such aggregate amount for such months to the director of revenue by the twentieth day of the succeeding month.

3. Where the aggregate amount levied and imposed upon a seller by section 144.020 is less than forty-five dollars in a calendar quarter, the director of revenue shall by regulation permit the seller to file a return for a calendar year. The return shall be filed and the taxes paid on or before January thirty-first of the succeeding year.

4. The seller of any property or person rendering any service, subject to the tax imposed by sections 144.010 to 144.525, shall collect the tax from the purchaser of such property or the recipient of the service to the extent possible under the provisions of section 144.285, but the seller's inability to collect any part or all of the tax does not relieve the seller of the obligation to pay to the state the tax imposed by section 144.020; except that the collection of the tax imposed by sections 144.010 to 144.525 on motor vehicles and trailers shall be made as provided in sections 144.070 and 144.440.

5. [It shall be unlawful for] Any person [to] **may** advertise or hold out or state to the public or to any customer directly [or indirectly] that the tax or any part thereof imposed by sections 144.010 to 144.525, and required to be collected by the person, will be assumed or absorbed by the person, [or that it will not be separately stated and added to the selling price of the] **provided that the amount of tax assumed or absorbed shall be stated on any invoice or receipt for the property sold or service rendered**[, or if added, that it or any part thereof will be refunded]. Any person violating any of the provisions of this section shall be guilty of a misdemeanor. **This subsection shall not apply to any retailer prohibited from collecting and remitting sales tax under section 66.630.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bill No. 612, Page 1, In the Title, Line 3, by deleting the words, "nonresident entertainer income taxes" and inserting in lieu thereof the word, "taxation"; and

Further amend said bill, page, Section A, Line 2, by inserting after all of said line and section the following:

**"32.383. 1. Notwithstanding the provisions of any other law to the contrary, with respect to taxes administered by the department of revenue under this chapter and chapters 143, 144, and 147, an amnesty from the assessment or payment of all penalties, additions to tax, and interest shall apply with respect to unpaid taxes or taxes due and owing reported and paid in full from July 1, 2014, to September 30, 2014, regardless of whether previously assessed, except for penalties, additions to tax, and interest paid before July 1, 2014. The amnesty shall apply only to tax liabilities due or due but unpaid on or before December 31, 2013, and shall not extend to any taxpayer who at the time of payment is a party to any criminal investigations or to any civil or criminal litigation that is pending in any court of the United States or this state for nonpayment, delinquency, or fraud in relation to any state tax imposed by this state.**

2. Upon written application by the taxpayer, on forms prescribed by the director of revenue, and upon compliance with the provisions of this section, the department of revenue shall not seek to collect any penalty, addition to tax, or interest that may be applicable. The department of revenue shall not seek civil or criminal prosecution for any taxpayer for the taxable period for which the amnesty has been granted unless subsequent investigation or audit shows that the taxpayer engaged in fraudulent or criminal conduct in applying for amnesty.

3. Amnesty shall be granted only to those taxpayers who have applied for amnesty within the period stated in this section, who have filed a tax return for each taxable period for which amnesty is requested, who have paid the entire balance by September 30, 2014, and who agree to comply with state tax laws for the next eight years from the date of the agreement. No taxpayer shall be entitled to a waiver of any penalty, addition to tax, or interest under this section unless full payment of the tax due is made in accordance with rules established by the director of revenue.

4. All taxpayers granted amnesty under this section shall in good faith comply with this state's tax laws for the eight years following the date of the amnesty agreement. If any such taxpayer fails to comply with all of this state's tax laws at any time during the eight years following the date of the agreement, all penalties, additions to tax, and interest that were waived under the amnesty agreement shall become due and owing immediately.

5. If a taxpayer is granted amnesty under this section, such taxpayer shall not be eligible to participate in any future amnesty for the same tax.

6. If a taxpayer elects to participate in the amnesty program established in this section as evidenced by full payment of the tax due as established by the director of revenue, that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal. No tax payment received under this section shall be eligible for refund or credit.

7. Nothing in this section shall be interpreted to disallow the department of revenue to adjust a taxpayer's tax return as a result of any state or federal audit.

8. All tax payments received as a result of the amnesty program established in this section, other than revenues earmarked by the Constitution of Missouri or this state's statutes, shall be deposited in the state general revenue fund.

9. The department may promulgate rules or issue administrative guidelines as are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2014, shall be invalid and void.

10. This section shall become effective on July 1, 2014, and shall expire on December 31, 2022.

11. If any provision of this section or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this section which can be given effect without the invalid provision or application, and to this end the provisions of this section are

**severable.”; and**

Further amend said bill, Page 5, Section 143.183, Line 142, by inserting after all of said section and line the following:

“Section B. Because immediate action is necessary to secure adequate state revenue, the enactment of section 32.383 is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and the enactment of section 32.383 is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 32.383 shall be in full force and effect on July 1, 2014, or upon its passage and approval, whichever occurs later.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 5

Amend Senate Committee Substitute for Senate Bill No. 612, Page 5, Section 143.183, Line 142, by inserting after all of said line the following:

“143.801. 1. A claim for credit or refund of an overpayment of any tax imposed by sections 143.011 to 143.996 shall be filed by the taxpayer within three years from the time the return was filed or two years from the time the tax was paid, whichever of such periods expires the later; or if no return was filed by the taxpayer, within two years from the time the tax was paid. No credit or refund shall be allowed or made after the expiration of the period of limitation prescribed in this subsection for the filing of a claim for credit or refund, unless a claim for credit or refund is filed by the taxpayer within such period.

2. If the claim is filed by the taxpayer during the three-year period prescribed in subsection 1 **of this section**, the amount of the credit or refund shall not exceed the portion of the tax paid within the three years immediately preceding the filing of the claim plus the period of any extension of time for filing the return. If the claim is not filed within such three-year period, but is filed within the two-year period, the amount of the credit or refund shall not exceed the portion of the tax paid during the two years immediately preceding the filing of the claim. If no claim is filed, the credit or refund shall not exceed the amount which would be allowable under either of the preceding sentences, as the case may be, if a claim was filed on the date the credit or refund is allowed.

3. If pursuant to subsection 6 of section 143.711 an agreement for an extension of the period for assessment of income taxes is made within the period prescribed in subsection 1 of this section for the filing of a claim for credit or refund, the period for filing a claim for credit or for making a credit or refund if no claim is filed, shall not expire prior to six months after the expiration of the period within which an assessment may be made pursuant to the agreement or any extension thereof. The amount of such credit or refund shall not exceed the portion of the tax paid after the execution of the agreement and before the filing of the claim or the making of the credit or refund, as the case may be, plus the portion of the tax paid within the period which would be applicable under subsection 1 of this section if a claim had been filed on the date the agreement was executed.

4. If a taxpayer is required by section 143.601 to report a change or correction in federal taxable income reported on his federal income tax return, or to report a change or correction which is treated in the same manner as if it were an overpayment for federal income tax purposes, an amended return or a claim for credit or refund of any resulting overpayment of tax shall be filed by the taxpayer within one year from the time the notice of such change or correction or such amended return was required to be filed with the

director of revenue. If the report or amended return required by section 143.601 is not filed within the ninety-day period therein specified, interest on any resulting refund or credit shall cease to accrue after such ninetieth day. The amount of such credit or refund shall not exceed the amount of the reduction in tax attributable to:

(1) The issues on which such federal change or correction or the items amended on the taxpayer's amended federal income tax return are based, and

(2) Any change in the amount of [his] **the taxpayer's** federal income tax deduction under the provisions of subsection 1 of section 143.171. No effect shall be given in the preceding sentence to any federal change or correction or to any item on an amended return unless it is timely under the applicable federal period of limitations. The time and amount provisions of this subsection shall be in lieu of any other provisions of this section. This subsection shall not affect the time within which or the amount for which a claim for credit or refund may be filed apart from this subsection.

5. If the claim for credit or refund relates to an overpayment of tax on account of the deductibility by the taxpayer of a debt as a debt which became worthless or a loss from worthlessness of a security or the effect that the deductibility of a debt or of a loss has on the application to the taxpayer of a carryover, the claim may be made, under regulations prescribed by the director of revenue within seven years from the date prescribed by law for filing the return for the year with respect to which the claim is made.

6. If the claim for credit or refund relates to an overpayment attributable to a net operating loss carryback or a capital loss carryback, in lieu of the three-year period of limitations prescribed in subsection 1 of this section, the period shall be that period which ends with the expiration of the fifteenth day of the fortieth month (or the thirty-ninth month, in the case of a corporation) following the end of the taxable year of the net operating loss or net capital loss which results in such carryback, or the period prescribed in subsection 3 of this section in respect of such taxable year, whichever expires later. In the case of such a claim, the amount of the credit or refund may exceed the portion of the tax paid within the period provided in subsections 2, 3 and 4 of this section, whichever is applicable, to the extent of the amount of the overpayment attributable to such carryback.

**7. (1) No period of limitations provided in subsections 1 to 6 of this section shall apply if the director of revenue examines or causes to have examined any return filed and retained as provided in section 143.971 and:**

**(a) Such examination is conducted after any period of limitations provided in subsections 1 to 6 of this section has expired;**

**(b) Such examination reveals that the taxpayer is eligible to claim a credit or refund of an overpayment of any tax imposed under this chapter; and**

**(c) A period of limitations provided in subsections 1 to 6 of this section prohibits the taxpayer from claiming such credit or refund.**

**(2) The director shall notify the taxpayer of any overpayment discovered under this subsection and inform the taxpayer of the procedure for filing a claim for a credit or refund of such overpayment. If the taxpayer files a claim for such credit or refund, the claim shall be filed in the manner provided in this chapter and shall be filed within one year from the time the director provided notice to the taxpayer.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 812**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 808**, entitled:

An Act to repeal sections 324.024, 334.735, 337.615, 337.643, 337.645, 338.010, 338.020, 338.059, 338.220, 346.010, and 346.055, RSMo, and to enact in lieu thereof thirteen new sections relating to the licensing of certain professions, with an existing penalty provision.

With House Amendment No. 1.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 808, Page 14, Section 338.165, Line 40, by inserting immediately at the end of said line the following:

**“However, the medical staff protocol shall include a process whereby an exemption to the protocol for a patient may be granted for clinical efficacy should the patient’s physician make such request. The medical staff protocol shall also include an appeals process to request a change in specific protocol based on medical evidence presented by a physician on staff.”; and**

Further amend said Page and Section, Line 45, by deleting all of said line and inserting in lieu thereof the following:

**“7. Medication dispensed by a class A pharmacy located in a hospital to a hospital patient for use or administration”; and**

Further amend said page and section, Line 48, by inserting immediately after said line the following:

**“8. Medication dispensed by a hospital to a hospital patient for use or administration outside of the hospital shall be labeled as provided by rules promulgated by the department of health and senior services and the board including, medication distributed for administration by or under the supervision of a health care practitioner at a hospital clinic or facility.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

#### RESOLUTIONS

Senator Kehoe offered the following resolution:

##### SENATE RESOLUTION NO. 1982

WHEREAS, the General Assembly fully recognizes the importance of preparing our youth to become active and productive citizens through worthwhile governmental or citizenship projects; and

WHEREAS, the General Assembly has a long tradition of rendering assistance to those organizations who sponsor these projects in the



interest of our young people; and

WHEREAS, one clear example of such an organization is the Missouri YMCA, which has become widely recognized for its sponsorship of the Youth in Government program; and

WHEREAS, the Missouri YMCA Youth in Government program provides its participants with a unique insight into the day to day operation of our state government;

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate that the Missouri YMCA be hereby granted permission to use the Senate Chamber and Hearing rooms for the purposes of its Youth in Government program on November 13, 2014 through November 15, 2014 and December 4, 2014 through December 6, 2014.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1982** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 1982** was adopted.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

### RECESS

The time of recess having expired, the Senate was called to order by Senator Kehoe.

### HOUSE BILLS ON THIRD READING

Senator Emery moved that **HB 1490**, with **SCS**, **SS** for **SCS** and **SA 13** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SA 13** was again taken up.

Senator Silvey moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Holsman, Justus, Keaveny and Sifton.

**SA 13** failed of adoption by the following vote:

YEAS—Senators

Parson                      Silvey—2

NAYS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Wallingford	Wasson—29			

Absent—Senator Walsh—1

Absent with leave—Senators—None

Vacancies—2

Senator Pearce offered **SA 14**:

### SENATE AMENDMENT NO. 14

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1490, Page 5, Section

160.514, Line 28, by inserting immediately after the word “domain” the following: **“and do not conflict with the standards adopted by the state board of education”**.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

Senator Emery offered **SA 15**:

SENATE AMENDMENT NO. 15

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1490, Page 3, Section 160.514, Line 14, by striking the word “member” and inserting in lieu thereof the following: **“education professional”**; and further amend line 17 by striking the word “member” and inserting in lieu thereof the following: **“education professional”**; and further amend line 19 by striking the word “member” and inserting in lieu thereof the following: **“education professional”**; and further amend line 22 by striking the word “members” and inserting in lieu thereof the following: **“education professionals”**; and further amend line 25 by striking the word “members” and inserting in lieu thereof the following: **“education professionals”**; and further amend line 28 by striking the word “member” and inserting in lieu thereof the following: **“education professional”**; and

Further amend said bill and section, page 4, line 1 by striking the word “member” and inserting in lieu thereof the following: **“education professional”**; and further amend line 2 by striking the word “member” and inserting in lieu thereof the following: **“education professional”**; and further amend line 4 by striking the word “member” and inserting in lieu thereof the following: **“education professional”**; and further amend line 7 by striking the word “member” and inserting in lieu thereof the following: **“education professional”**.

Senator Emery moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered **SA 16**:

SENATE AMENDMENT NO. 16

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1490, Page 1, Section A, Line 5 on said page, by inserting after all of said line the following:

**“135.712. 1. Sections 135.712 to 135.719 shall be known and may be cited as the “Passport Scholarship Program”. This program shall grant scholarships to students who reside in an unaccredited school district for certain educational costs as defined in sections 135.712 to 135.719.**

**2. As used in sections 135.712 to 135.719, the following terms mean:**

**(1) “Department”, the department of economic development;**

**(2) “Director”, the director of the department of economic development;**

**(3) “Educational assistance organization”, a charitable organization registered in this state that is exempt from federal taxation under the Internal Revenue Code of 1986, as amended, is certified by the director, and that allocates all of its annual revenue derived from contributions for which a credit is claimed under this section for educational assistance with the exception of marketing and administrative expenses in paragraph (c) of subdivision (4) of subsection 1 of section 135.714;**

**(4) “Eligible student”, a student who resides in any unaccredited district. Any student who receives an educational scholarship under this program shall remain eligible until the student graduates from high school or reaches twenty-one years of age, whichever occurs earlier even if his**

or her school district of residence experiences a change in boundary lines or change in composition or accreditation classification because of an annexation, consolidation, reorganization, or dissolution;

(5) “Parent”, a parent, guardian, custodian, or other person with authority to act on behalf of the eligible student;

(6) “Passport scholarships”, grants to eligible students to cover all or part of the applicable expenditure per student and fees at a qualified school, or other approved educational expenses, including computers for participation in a virtual school and transportation to a nonpublic school. If the qualified school of enrollment includes a boarding program, such grants shall include boarding costs;

(7) “Program”, the passport scholarship program established under sections 135.712 to 135.719;

(8) “Qualified school”, a nonpublic preschool, elementary, or secondary school in the state that complies with all requirements of the program;

(9) “Qualifying contribution”, a donation of cash, stock, bonds, or other marketable securities for purposes of claiming a tax credit under this section;

(10) “Taxpayer”, an individual subject to the state income tax imposed in chapter 143, an individual, a firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in this state and subject to the state income tax imposed by chapter 143, a corporation subject to the annual corporation franchise tax imposed by chapter 147, or an express company which pays an annual tax on its gross receipts in this state under chapter 153, which files a Missouri income tax return and is not a dependent of any other taxpayer.

135.713. 1. For all tax years beginning on or after January 1, 2014, any taxpayer who makes a qualifying contribution to an approved or qualified educational assistance organization may claim a credit against the tax otherwise due under chapter 143, other than taxes withheld under sections 143.191 to 143.265, and chapters 147 and 153, in an amount equal to sixty percent of the amount the taxpayer contributed to such educational assistance organization during the tax year for which the credit is claimed.

2. The amount of the tax credit claimed shall not exceed the amount of the taxpayer’s state tax liability for the tax year for which the credit is claimed. The department shall certify the tax credit amount to the taxpayer and to the department of revenue. Any amount of credit that a taxpayer cannot claim in a tax year may be carried forward to any of such taxpayer’s four subsequent taxable years. All tax credits authorized under the program may be transferred, sold, or assigned.

3. The cumulative amount of tax credits which may be allocated to all taxpayers contributing to educational assistance organizations in any one fiscal year shall not exceed forty million dollars, which amount shall annually be adjusted by the department for inflation based on the consumer price index for the Midwest, as defined and officially recorded by the United States department of labor, or its successor. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all educational assistance organizations. If an educational assistance organization fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those educational assistance organizations that have used all,

or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year. The director may add to the annual cumulative amount of tax credits in the second and subsequent years of the program a total equal to the cumulative amount by which the current expenditure per average daily attendance for each student in the unaccredited district receiving a scholarship exceeds the cumulative amount of scholarship checks written the previous year.

**135.714. 1.** Each educational assistance organization that desires to participate or provide scholarships through the passport scholarship program shall:

(1) Notify the department of its intent to provide educational scholarships to eligible students attending qualified schools;

(2) Demonstrate to the department that it is exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code of 1986, as amended;

(3) Provide a department-approved receipt to taxpayers for contributions made to the organization;

(4) Ensure that:

(a) One hundred percent of its revenues from interest or investments is spent on educational scholarships;

(b) At least ninety percent of its revenues from qualifying contributions is spent on educational scholarships; and

(c) Of its remaining revenue from contributions, its marketing and administrative expenses shall not exceed the following limits: ten percent for the first one hundred thousand dollars; eight percent for the next four hundred thousand dollars; six percent for the next five hundred thousand dollars; and three percent thereafter;

(5) Distribute educational scholarship payments no more than four times per year in the form of checks made out to an eligible student's parent and mailed to the qualified school where the student is enrolled. The first payment shall be distributed prior to the start of the school year. The parent shall endorse the check before it can be deposited. If a student withdraws from a qualified school prior to the end of the school year, the qualified school shall prorate the scholarship funds and return the prorated amount to the educational assistance organization. If the educational scholarship payments are insufficient to cover the cost of tuition, the school may charge the parent or guardian the difference between the cost of tuition and the amount of educational scholarship payments;

(6) Provide the department, upon request, with criminal background checks, pursuant to section 43.543, on all of its employees and board members, and exclude from employment or governance any individual that might reasonably pose a risk to the appropriate use of contributed funds;

(7) Demonstrate its financial accountability by:

(a) Submitting to the department a financial information report for the organization that complies with uniform financial accounting standards established by the department and is conducted by a

certified public accountant; and

(b) Having an auditor certify that the report is free of material misstatements; and

(8) Demonstrate its financial viability, if it is to receive donations of fifty thousand dollars or more during the school year, by filing with the department before the start of the school year a surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year.

2. Each educational assistance organization shall ensure that qualified schools that accept eligible students receiving passport scholarships from the organization shall:

(1) Comply with all health and safety laws or codes that apply to nonpublic schools;

(2) Hold a valid occupancy permit if required by the municipality where such schools are located;

(3) Certify that the qualified schools shall not discriminate in admissions of eligible students on the basis of race, color, or national origin;

(4) Provide academic accountability to parents or guardians of the eligible students in the program by regularly reporting to them on the student's progress.

3. An educational assistance organization shall publicly report to the department by June first of each year the following information prepared by a certified public accountant regarding its grants in the previous calendar year:

(1) The name and address of the educational assistance organization;

(2) The name and address of each eligible student who received a passport scholarship from the organization;

(3) The total number and total dollar amount of contributions received by the organization during the previous calendar year;

(4) The total number and total dollar amount of passport scholarships awarded by the organization during the previous calendar year.

4. Before educational assistance organizations may raise contributions under the program, they shall have received or demonstrated ability to receive applications from eligible students.

5. An educational assistance organization shall require each qualified school to report the attendance rates, graduation rates, and rate of entry into institutions of higher education for each student who receives scholarship funds. An educational assistance organization shall annually report this information to the department.

135.715. 1. All qualified schools shall comply with all state laws that apply to public schools regarding criminal background checks for employees and shall exclude from employment any person prohibited by state law from working in a public school.

2. All qualified schools shall administer to their scholarship students one of the following assessments, except for those students with an individualized education program that specifies that such an assessment would not be appropriate: the statewide assessments under section 160.518, a nationally recognized norm-referenced assessment, or an assessment of educational functioning level for adult basic education that meets the guidelines for the national reporting system for adult

education and literacy. A qualified school shall use scholarship funds to administer the assessments. Results of the assessments shall be provided to parents of each passport scholarship recipient. The assessment results of the scholarship recipients shall not be considered for purposes of school accreditation under the Missouri school improvement program or for purposes of the federal No Child Left Behind Act.

**3. All qualified schools shall:**

- (1) Comply with all health and safety laws or codes that apply to nonpublic schools;**
- (2) Hold a valid occupancy permit if required by their municipality;**
- (3) Certify that they will not discriminate in admissions on the basis of race, color, or national origin;**
- (4) File a statement of intent to participate that includes the information listed in this subdivision;**
- (5) For initial applicants, file a list of the information required under this subsection, and for requalifying schools, annual reporting of the information required under this subsection. No public reporting of information required under this subsection shall be personally identifiable to an individual student;**
- (6) Be fiscally sound as evidenced by three years in existence, a surety bond, or letter of credit covering the amount of funds received on behalf of scholarship recipients;**
- (7) Be accredited by a regional or national accrediting agency or for a school that is not currently accredited, provisional approval pending the achievement of accreditation no later than the fourth school year of participation. No qualified school shall have been declared unaccredited by its accrediting agency;**
- (8) Annually administer a parental satisfaction survey; and**
- (9) Demonstrate evidence of the annual transmittal of the information required by this section to parents and evidence of its availability to applicants.**

**4. Qualified schools shall have on record a form signed by the parent or guardian of each scholarship recipient agreeing to the release of the following information to the director of the department of economic development:**

- (1) The student's participation as a scholarship recipient under sections 135.712 to 135.719; and**
- (2) Testing results for statewide assessment under section 160.518 or other assessment administered by the school.**

**5. As a condition of participation, the parents, guardians, and scholarship recipients under sections 135.712 to 135.719 shall agree to abide by the code of conduct and any parental involvement requirements of the qualified school unless the qualified school agrees to a waiver of any requirements.**

**6. A qualified school shall not accept a scholarship check that exceeds its standard expenditure per pupil, including fees and transportation if provided by the receiving school.**

**135.716. 1. The department shall provide a standardized format for a receipt to be issued by an educational assistance organization to a taxpayer to indicate the value of a contribution received from**

the taxpayer. The department shall require the taxpayer to provide a copy of this receipt when claiming the tax credit authorized by the program.

2. The department shall provide a standardized format for educational assistance organizations to report the information required in subsection 1 of this section.

3. The department may conduct either a financial review or an audit of an educational assistance organization if the department possesses evidence of fraud committed by the organization.

4. The director of the department may bar an educational assistance organization from participating in the program if the department establishes that the educational assistance organization has intentionally and substantially failed to comply with the requirements of section 135.714. If the director of the department bars an educational assistance organization from the program under this subsection, he or she shall notify any affected school and affected eligible students and their parents of the decision as soon as possible after the determination is made.

5. The department of economic development shall be entitled to charge and receive no more than two percent of the qualifying contributions received by any educational assistance organization for the department's marketing and administrative expenses or the costs incurred in administering the program, whichever is less. The director shall establish procedures to ensure the percentage of funds for administration of the program is directed to the department of economic development in a timely manner with the necessary information to verify the correct amount has been transmitted. Any remaining funds shall be distributed to the educational assistance organizations.

135.717. 1. Subject to appropriations, the joint committee on education shall conduct a study of the program. The joint committee may contract with one or more qualified researchers if assistance is needed and if funds are available.

2. The study shall assess the following areas:

(1) The impact of the program on public and private school capacity, availability, and quality of service; and

(2) Student performance on annual assessment instruments before and after entering the program, provided that no participating student shall be individually identified.

3. The study shall be conducted during the first five years of commencement of the program and shall cover that five year period.

4. The joint committee shall provide the general assembly with a final report of the evaluation of the program.

5. The public and nonpublic participating schools to and from which students transfer as part of the program shall cooperate with the research effort by providing student assessment instrument scores and any other data necessary to complete this study. Scores and data shall be provided in such a manner that no participating student, or participating student's scores, shall be individually identified.

135.719. 1. The department and the department of revenue may promulgate rules to implement the provisions of sections 135.712 to 135.719. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section

**536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.**

**2. The provisions of section 23.253, of the Missouri Sunset Act shall not apply to sections 135.712 to 135.719.”; and**

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion failed.

Senator Chappelle-Nadal offered **SA 17:**

**SENATE AMENDMENT NO. 17**

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1490, Page 1, In the Title, Line 5, by striking the word “standards”; and

Further amend said bill and page, Section A, line 5, by inserting after all of said line the following:

“160.400. 1. A charter school is an independent public school.

2. Except as further provided in subsection 4 of this section, charter schools may be operated only:

(1) In a metropolitan school district;

(2) In an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants;

(3) In a school district that has been declared unaccredited;

(4) In a school district that has been classified as provisionally accredited by the state board of education and has received scores on its annual performance report consistent with a classification of provisionally accredited or unaccredited for three consecutive school years beginning with the 2012-13 accreditation year under the following conditions:

(a) The eligibility for charter schools of any school district whose provisional accreditation is based in whole or in part on financial stress as defined in sections 161.520 to 161.529, or on financial hardship as defined by rule of the state board of education, shall be decided by a vote of the state board of education during the third consecutive school year after the designation of provisional accreditation; and

(b) The sponsor is limited to the local school board or a sponsor who has met the standards of accountability and performance as determined by the department based on sections 160.400 to 160.425 and section 167.349 and properly promulgated rules of the department; or

(5) In a school district that has been accredited without provisions, sponsored only by the local school board; provided that no board with a current year enrollment of one thousand five hundred fifty students or greater shall permit more than thirty-five percent of its student enrollment to enroll in charter schools sponsored by the local board under the authority of this subdivision, except that this restriction shall not apply to any school district that subsequently becomes eligible under subdivision (3) or (4) of this subsection or to any district accredited without provisions that sponsors charter schools prior to having a current year student enrollment of one thousand five hundred fifty students or greater.

3. Except as further provided in subsection 4 of this section, the following entities are eligible to sponsor



charter schools:

(1) The school board of the district in any district which is sponsoring a charter school as of August 27, 2012, as permitted under subdivision (1) or (2) of subsection 2 of this section, the special administrative board of a metropolitan school district during any time in which powers granted to the district's board of education are vested in a special administrative board, or if the state board of education appoints a special administrative board to retain the authority granted to the board of education of an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants, the special administrative board of such school district;

(2) A public four-year college or university with an approved teacher education program that meets regional or national standards of accreditation;

(3) A community college, the service area of which encompasses some portion of the district;

(4) Any private four-year college or university with an enrollment of at least one thousand students, with its primary campus in Missouri, and with an approved teacher preparation program;

(5) Any two-year private vocational or technical school designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended, which is a member of the North Central Association and accredited by the Higher Learning Commission, with its primary campus in Missouri; or

(6) The Missouri charter public school commission created in section 160.425.

4. Changes in a school district's accreditation status that affect charter schools shall be addressed as follows, except for the districts described in subdivisions (1) and (2) of subsection 2 of this section:

(1) As a district transitions from unaccredited to provisionally accredited, the district shall continue to fall under the requirements for an unaccredited district until it achieves three consecutive full school years of provisional accreditation;

(2) As a district transitions from provisionally accredited to full accreditation, the district shall continue to fall under the requirements for a provisionally accredited district until it achieves three consecutive full school years of full accreditation;

(3) In any school district classified as unaccredited or provisionally accredited where a charter school is operating and is sponsored by an entity other than the local school board, when the school district becomes classified as accredited without provisions, a charter school may continue to be sponsored by the entity sponsoring it prior to the classification of accredited without provisions and shall not be limited to the local school board as a sponsor.

A charter school operating in a school district identified in subdivision (1) or (2) of subsection 2 of this section may be sponsored by any of the entities identified in subsection 3 of this section, irrespective of the accreditation classification of the district in which it is located. A charter school in a district described in this subsection whose charter provides for the addition of grade levels in subsequent years may continue to add levels until the planned expansion is complete to the extent of grade levels in comparable schools of the district in which the charter school is operated.

5. The mayor of a city not within a county may request a sponsor under subdivision (2), (3), (4), (5), or (6) of subsection 3 of this section to consider sponsoring a "workplace charter school", which is defined for purposes of sections 160.400 to 160.425 as a charter school with the ability to target prospective students whose parent or parents are employed in a business district, as defined in the charter, which is located in

the city.

6. No sponsor shall receive from an applicant for a charter school any fee of any type for the consideration of a charter, nor may a sponsor condition its consideration of a charter on the promise of future payment of any kind.

7. The charter school shall be organized as a Missouri nonprofit corporation incorporated pursuant to chapter 355. The charter provided for herein shall constitute a contract between the sponsor and the charter school.

8. As a nonprofit corporation incorporated pursuant to chapter 355, the charter school shall select the method for election of officers pursuant to section 355.326 based on the class of corporation selected. Meetings of the governing board of the charter school shall be subject to the provisions of sections 610.010 to 610.030.

9. A sponsor of a charter school, its agents and employees are not liable for any acts or omissions of a charter school that it sponsors, including acts or omissions relating to the charter submitted by the charter school, the operation of the charter school and the performance of the charter school.

10. A charter school may affiliate with a four-year college or university, including a private college or university, or a community college as otherwise specified in subsection 3 of this section when its charter is granted by a sponsor other than such college, university or community college. Affiliation status recognizes a relationship between the charter school and the college or university for purposes of teacher training and staff development, curriculum and assessment development, use of physical facilities owned by or rented on behalf of the college or university, and other similar purposes. A university, college or community college may not charge or accept a fee for affiliation status.

11. The expenses associated with sponsorship of charter schools shall be defrayed by the department of elementary and secondary education retaining one and five-tenths percent of the amount of state and local funding allocated to the charter school under section 160.415, not to exceed one hundred twenty-five thousand dollars, adjusted for inflation. The department of elementary and secondary education shall remit the retained funds for each charter school to the school's sponsor, provided the sponsor remains in good standing by fulfilling its sponsorship obligations under sections 160.400 to 160.425 and 167.349 with regard to each charter school it sponsors, including appropriate demonstration of the following:

(1) Expends no less than ninety percent of its charter school sponsorship funds in support of its charter school sponsorship program, or as a direct investment in the sponsored schools;

(2) Maintains a comprehensive application process that follows fair procedures and rigorous criteria and grants charters only to those developers who demonstrate strong capacity for establishing and operating a quality charter school;

(3) Negotiates contracts with charter schools that clearly articulate the rights and responsibilities of each party regarding school autonomy, expected outcomes, measures for evaluating success or failure, performance consequences, and other material terms;

(4) Conducts contract oversight that evaluates performance, monitors compliance, informs intervention and renewal decisions, and ensures autonomy provided under applicable law; and

(5) Designs and implements a transparent and rigorous process that uses comprehensive data to make merit-based renewal decisions.

12. Sponsors receiving funds under subsection 11 of this section shall be required to submit annual reports to the joint committee on education demonstrating they are in compliance with subsection 17 of this section.

13. No university, college or community college shall grant a charter to a nonprofit corporation if an employee of the university, college or community college is a member of the corporation's board of directors.

14. No sponsor shall grant a charter under sections 160.400 to 160.425 and 167.349 without ensuring that a criminal background check and family care safety registry check are conducted for all members of the governing board of the charter schools or the incorporators of the charter school if initial directors are not named in the articles of incorporation, nor shall a sponsor renew a charter without ensuring a criminal background check and family care registry check are conducted for each member of the governing board of the charter school.

15. No member of the governing board of a charter school shall hold any office or employment from the board or the charter school while serving as a member, nor shall the member have any substantial interest, as defined in section 105.450, in any entity employed by or contracting with the board. No board member shall be an employee of a company that provides substantial services to the charter school. All members of the governing board of the charter school shall be considered decision-making public servants as defined in section 105.450 for the purposes of the financial disclosure requirements contained in sections 105.483, 105.485, 105.487, and 105.489.

16. A sponsor shall develop the policies and procedures for:

(1) The review of a charter school proposal including an application that provides sufficient information for rigorous evaluation of the proposed charter and provides clear documentation that the education program and academic program are aligned with the state standards and grade-level expectations, and provides clear documentation of effective governance and management structures, and a sustainable operational plan;

(2) The granting of a charter;

(3) The performance framework that the sponsor will use to evaluate the performance of charter schools;

(4) The sponsor's intervention, renewal, and revocation policies, including the conditions under which the charter sponsor may intervene in the operation of the charter school, along with actions and consequences that may ensue, and the conditions for renewal of the charter at the end of the term, consistent with subsections 8 and 9 of section 160.405;

(5) Additional criteria that the sponsor will use for ongoing oversight of the charter; and

(6) Procedures to be implemented if a charter school should close, consistent with the provisions of subdivision (15) of subsection 1 of section 160.405.

The department shall provide guidance to sponsors in developing such policies and procedures.

17. (1) A sponsor shall provide timely submission to the state board of education of all data necessary to demonstrate that the sponsor is in material compliance with all requirements of sections 160.400 to 160.425 and section 167.349. The state board of education shall ensure each sponsor is in compliance with all requirements under sections 160.400 to 160.425 and 167.349 for each charter school sponsored by any sponsor. The state board shall notify each sponsor of the standards for sponsorship of charter schools, delineating both what is mandated by statute and what best practices dictate. The state board shall evaluate

sponsors to determine compliance with these standards every three years. The evaluation shall include a sponsor's policies and procedures in the areas of charter application approval; required charter agreement terms and content; sponsor performance evaluation and compliance monitoring; and charter renewal, intervention, and revocation decisions. Nothing shall preclude the department from undertaking an evaluation at any time for cause.

(2) If the department determines that a sponsor is in material noncompliance with its sponsorship duties, the sponsor shall be notified and given reasonable time for remediation. If remediation does not address the compliance issues identified by the department, the commissioner of education shall conduct a public hearing and thereafter provide notice to the charter sponsor of corrective action that will be recommended to the state board of education. Corrective action by the department may include withholding the sponsor's funding and suspending the sponsor's authority to sponsor a school that it currently sponsors or to sponsor any additional school until the sponsor is reauthorized by the state board of education under section 160.403.

(3) The charter sponsor may, within thirty days of receipt of the notice of the commissioner's recommendation, provide a written statement and other documentation to show cause as to why that action should not be taken. Final determination of corrective action shall be determined by the state board of education based upon a review of the documentation submitted to the department and the charter sponsor.

(4) If the state board removes the authority to sponsor a currently operating charter school under any provision of law, the Missouri charter public school commission shall become the sponsor of the school.

**18. When a sponsor notifies a charter school of closure under subsection 8 of section 160.405 the department of elementary and secondary education shall exercise its financial withholding authority under subsection 12 of section 160.415 to assure all obligations of the charter school have been met.**

**19. In the event the department is unable to withhold sufficient funds prior to the closure as specified in subsection 18 of this section, sponsors of charter schools shall be responsible for all expenditures associated with the closure of a charter school they sponsor. The provisions of this subsection shall be applicable to newly proposed charters and those charters renewed after the effective date of this section.**

160.405. 1. A person, group or organization seeking to establish a charter school shall submit the proposed charter, as provided in this section, to a sponsor. If the sponsor is not a school board, the applicant shall give a copy of its application to the school board of the district in which the charter school is to be located and to the state board of education, within five business days of the date the application is filed with the proposed sponsor. The school board may file objections with the proposed sponsor, and, if a charter is granted, the school board may file objections with the state board of education. The charter shall [be] **include** a legally binding performance contract that describes the obligations and responsibilities of the school and the sponsor as outlined in sections 160.400 to 160.425 and section 167.349 and shall [also include] **address the following**:

(1) A mission and vision statement for the charter school;

(2) A description of the charter school's organizational structure and bylaws of the governing body, which will be responsible for the policy, financial management, and operational decisions of the charter school, including the nature and extent of parental, professional educator, and community involvement in the governance and operation of the charter school;

(3) A financial plan for the first three years of operation of the charter school including provisions for

annual audits;

(4) A description of the charter school's policy for securing personnel services, its personnel policies, personnel qualifications, and professional development plan;

(5) A description of the grades or ages of students being served;

(6) The school's calendar of operation, which shall include at least the equivalent of a full school term as defined in section 160.011;

(7) A description of the charter school's pupil performance standards and academic program performance standards, which shall meet the requirements of subdivision (6) of subsection 4 of this section. The charter school program shall be designed to enable each pupil to achieve such standards and shall contain a complete set of indicators, measures, metrics, and targets for academic program performance, including specific goals on graduation rates and standardized test performance and academic growth;

(8) A description of the charter school's educational program and curriculum;

(9) The term of the charter, which shall be five years and shall be renewable;

(10) Procedures, consistent with the Missouri financial accounting manual, for monitoring the financial accountability of the charter, which shall meet the requirements of subdivision (4) of subsection 4 of this section;

(11) Preopening requirements for applications that require that charter schools meet all health, safety, and other legal requirements prior to opening;

(12) A description of the charter school's policies on student discipline and student admission, which shall include a statement, where applicable, of the validity of attendance of students who do not reside in the district but who may be eligible to attend under the terms of judicial settlements and procedures that ensure admission of students with disabilities in a nondiscriminatory manner;

(13) A description of the charter school's grievance procedure for parents or guardians;

(14) A description of the agreement between the charter school and the sponsor as to when a sponsor shall intervene in a charter school, when a sponsor shall revoke a charter for failure to comply with subsection 8 of this section, and when a sponsor will not renew a charter under subsection 9 of this section;

(15) Procedures to be implemented if the charter school should close, as provided in subdivision (6) of subsection 16 of section 160.400 including:

(a) Orderly transition of student records to new schools and archival of student records;

(b) Archival of business operation and transfer or repository of personnel records;

(c) Submission of final financial reports;

(d) Resolution of any remaining financial obligations; and

(e) Disposition of the charter school's assets upon closure;

(f) A notification plan to inform parents or guardians of students, the local school district, the retirement system in which the charter school's employees participate, and the state board of education within thirty days of the decision to close;

(16) A description of the special education and related services that shall be available to meet the needs

of students with disabilities; and

(17) For all new or revised charters, procedures to be used upon closure of the charter school requiring that unobligated assets of the charter school be returned to the department of elementary and secondary education for their disposition, which upon receipt of such assets shall return them to the local school district in which the school was located, the state, or any other entity to which they would belong.

Charter schools operating on August 27, 2012, shall have until August 28, 2015, to meet the requirements of this subsection.

2. Proposed charters shall be subject to the following requirements:

(1) A charter shall be submitted to the sponsor, and follow the sponsor's policies and procedures for review and granting of a charter approval, and be approved by the state board of education by [December first] **January thirty-first** of the year [prior to] **that is** the proposed opening date of the charter school;

(2) A charter may be approved when the sponsor determines that the requirements of this section are met, determines that the applicant is sufficiently qualified to operate a charter school, and that the proposed charter is consistent with the sponsor's charter sponsorship goals and capacity. The sponsor's decision of approval or denial shall be made within ninety days of the filing of the proposed charter;

(3) If the charter is denied, the proposed sponsor shall notify the applicant in writing as to the reasons for its denial and forward a copy to the state board of education within five business days following the denial;

(4) If a proposed charter is denied by a sponsor, the proposed charter may be submitted to the state board of education, along with the sponsor's written reasons for its denial. If the state board determines that the applicant meets the requirements of this section, that the applicant is sufficiently qualified to operate the charter school, and that granting a charter to the applicant would be likely to provide educational benefit to the children of the district, the state board may grant a charter and act as sponsor of the charter school. The state board shall review the proposed charter and make a determination of whether to deny or grant the proposed charter within sixty days of receipt of the proposed charter, provided that any charter to be considered by the state board of education under this subdivision shall be submitted no later than March first prior to the school year in which the charter school intends to begin operations. The state board of education shall notify the applicant in writing as the reasons for its denial, if applicable; and

(5) The sponsor of a charter school shall give priority to charter school applicants that propose a school oriented to high-risk students and to the reentry of dropouts into the school system. If a sponsor grants three or more charters, at least one-third of the charters granted by the sponsor shall be to schools that actively recruit dropouts or high-risk students as their student body and address the needs of dropouts or high-risk students through their proposed mission, curriculum, teaching methods, and services. For purposes of this subsection, a "high-risk" student is one who is at least one year behind in satisfactory completion of course work or obtaining high school credits for graduation, has dropped out of school, is at risk of dropping out of school, needs drug and alcohol treatment, has severe behavioral problems, has been suspended from school three or more times, has a history of severe truancy, is a pregnant or parenting teen, has been referred for enrollment by the judicial system, is exiting incarceration, is a refugee, is homeless or has been homeless sometime within the preceding six months, has been referred by an area school district for enrollment in an alternative program, or qualifies as high risk under department of elementary and secondary education guidelines. "Dropout" shall be defined through the guidelines of the school core data report. The provisions of this subsection do not apply to charters sponsored by the state board of education.

3. If a charter is approved by a sponsor, the charter application shall be submitted to the state board of education, along with a statement of finding **by the sponsor** that the application meets the requirements of sections 160.400 to 160.425 and section 167.349 and a monitoring plan under which the charter sponsor shall evaluate the academic performance of students enrolled in the charter school. The state board of education [may, within] **has sixty days**[, disapprove the granting of the charter.] **from receipt of the charter application to renew the application. Any charter application received by the state board of education on or before November fifteenth of the year prior to the proposed opening of the charter school shall be considered by the state board of education within the sixty-day period. At the conclusion of the sixty-day period, the charter application shall be deemed approved unless the state board of education [may disapprove a] disapproves the charter on grounds that the application fails to meet the requirements of sections 160.400 to 160.425 and section 167.349 or that a charter sponsor previously failed to meet the statutory responsibilities of a charter sponsor. Any disapproval of a charter application made by the state board of education shall be in writing and shall identify the specific failures of the application to meet the requirements of sections 160.400 to 160.425 and section 167.349, and the written disapproval shall be provided within five business days to the sponsor.**

4. A charter school shall, as provided in its charter:

(1) Be nonsectarian in its programs, admission policies, employment practices, and all other operations;

(2) Comply with laws and regulations of the state, county, or city relating to health, safety, and state minimum educational standards, as specified by the state board of education, including the requirements relating to student discipline under sections 160.261, 167.161, 167.164, and 167.171, notification of criminal conduct to law enforcement authorities under sections 167.115 to 167.117, academic assessment under section 160.518, transmittal of school records under section 167.020, the minimum number of school days and hours required under section 160.041, and the employee criminal history background check and the family care safety registry check under section 168.133;

(3) Except as provided in sections 160.400 to 160.425, be exempt from all laws and rules relating to schools, governing boards and school districts;

(4) Be financially accountable, use practices consistent with the Missouri financial accounting manual, provide for an annual audit by a certified public accountant, publish audit reports and annual financial reports as provided in chapter 165, provided that the annual financial report may be published on the department of elementary and secondary education's internet website in addition to other publishing requirements, and provide liability insurance to indemnify the school, its board, staff and teachers against tort claims. A charter school that receives local educational agency status under subsection 6 of this section shall meet the requirements imposed by the Elementary and Secondary Education Act for audits of such agencies and comply with all federal audit requirements for charters with local education agency status. For purposes of an audit by petition under section 29.230, a charter school shall be treated as a political subdivision on the same terms and conditions as the school district in which it is located. For the purposes of securing such insurance, a charter school shall be eligible for the Missouri public entity risk management fund pursuant to section 537.700. A charter school that incurs debt shall include a repayment plan in its financial plan;

(5) Provide a comprehensive program of instruction for at least one grade or age group from kindergarten through grade twelve, which may include early childhood education if funding for such programs is established by statute, as specified in its charter;

(6) (a) Design a method to measure pupil progress toward the pupil academic standards adopted by the state board of education pursuant to section 160.514, establish baseline student performance in accordance with the performance contract during the first year of operation, collect student performance data as defined by the annual performance report throughout the duration of the charter to annually monitor student academic performance, and to the extent applicable based upon grade levels offered by the charter school, participate in the statewide system of assessments, comprised of the essential skills tests and the nationally standardized norm-referenced achievement tests, as designated by the state board pursuant to section 160.518, complete and distribute an annual report card as prescribed in section 160.522, which shall also include a statement that background checks have been completed on the charter school's board members, report to its sponsor, the local school district, and the state board of education as to its teaching methods and any educational innovations and the results thereof, and provide data required for the study of charter schools pursuant to subsection 4 of section 160.410. No charter school shall be considered in the Missouri school improvement program review of the district in which it is located for the resource or process standards of the program.

(b) For proposed high risk or alternative charter schools, sponsors shall approve performance measures based on mission, curriculum, teaching methods, and services. Sponsors shall also approve comprehensive academic and behavioral measures to determine whether students are meeting performance standards on a different time frame as specified in that school's charter. Student performance shall be assessed comprehensively to determine whether a high risk or alternative charter school has documented adequate student progress. Student performance shall be based on sponsor-approved comprehensive measures as well as standardized public school measures. Annual presentation of charter school report card data to the department of elementary and secondary education, the state board, and the public shall include comprehensive measures of student progress.

(c) Nothing in this subdivision shall be construed as permitting a charter school to be held to lower performance standards than other public schools within a district; however, the charter of a charter school may permit students to meet performance standards on a different time frame as specified in its charter. The performance standards for alternative and special purpose charter schools that target high-risk students as defined in subdivision (5) of subsection 2 of this section shall be based on measures defined in the school's performance contract with its sponsors;

(7) Comply with all applicable federal and state laws and regulations regarding students with disabilities, including sections 162.670 to 162.710, the Individuals with Disabilities Education Act (20 U.S.C. Section 1400) and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794) or successor legislation;

(8) Provide along with any request for review by the state board of education the following:

(a) Documentation that the applicant has provided a copy of the application to the school board of the district in which the charter school is to be located, except in those circumstances where the school district is the sponsor of the charter school; and

(b) A statement outlining the reasons for approval or disapproval by the sponsor, specifically addressing the requirements of sections 160.400 to 160.425 and 167.349.

5. (1) Proposed or existing high-risk or alternative charter schools may include alternative arrangements for students to obtain credit for satisfying graduation requirements in the school's charter application and charter. Alternative arrangements may include, but not be limited to, credit for off-campus instruction, embedded credit, work experience through an internship arranged through the school, and independent



studies. When the state board of education approves the charter, any such alternative arrangements shall be approved at such time.

(2) The department of elementary and secondary education shall conduct a study of any charter school granted alternative arrangements for students to obtain credit under this subsection after three years of operation to assess student performance, graduation rates, educational outcomes, and entry into the workforce or higher education.

6. The charter of a charter school may be amended at the request of the governing body of the charter school and on the approval of the sponsor. The sponsor and the governing board and staff of the charter school shall jointly review the school's performance, management and operations during the first year of operation and then every other year after the most recent review or at any point where the operation or management of the charter school is changed or transferred to another entity, either public or private. The governing board of a charter school may amend the charter, if the sponsor approves such amendment, or the sponsor and the governing board may reach an agreement in writing to reflect the charter school's decision to become a local educational agency. In such case the sponsor shall give the department of elementary and secondary education written notice no later than March first of any year, with the agreement to become effective July first. The department may waive the March first notice date in its discretion. The department shall identify and furnish a list of its regulations that pertain to local educational agencies to such schools within thirty days of receiving such notice.

7. Sponsors shall annually review the charter school's compliance with statutory standards including:

(1) Participation in the statewide system of assessments, as designated by the state board of education under section 160.518;

(2) Assurances for the completion and distribution of an annual report card as prescribed in section 160.522;

(3) The collection of baseline data during the first three years of operation to determine the longitudinal success of the charter school;

(4) A method to measure pupil progress toward the pupil academic standards adopted by the state board of education under section 160.514; and

(5) Publication of each charter school's annual performance report.

8. (1) (a) A sponsor's intervention policies shall give schools clear, adequate, evidence-based, and timely notice of contract violations or performance deficiencies and mandate intervention based upon findings of the state board of education of the following:

a. The charter school provides a high school program which fails to maintain a graduation rate of at least seventy percent in three of the last four school years unless the school has dropout recovery as its mission;

b. The charter school's annual performance report results are below the district's annual performance report results based on the performance standards that are applicable to the grade level configuration of both the charter school and the district in which the charter school is located in three of the last four school years; and

c. The charter school is identified as a persistently lowest achieving school by the department of elementary and secondary education.

(b) A sponsor shall have a policy to revoke a charter during the charter term if there is:

a. Clear evidence of underperformance as [demonstrated in the charter school's annual performance report in three of the last four school years] **determined by the charter school accreditation process outlined in subsection 15 of this section;** or

b. A violation of the law or the public trust that imperils students or public funds.

(c) A sponsor shall revoke a charter or take other appropriate remedial action, which may include placing the charter school on probationary status for no more than twelve months, provided that no more than one designation of probationary status shall be allowed for the duration of the charter contract, at any time if the charter school commits a serious breach of one or more provisions of its charter or on any of the following grounds: failure to meet the performance contract as set forth in its charter, failure to meet generally accepted standards of fiscal management, failure to provide information necessary to confirm compliance with all provisions of the charter and sections 160.400 to 160.425 and 167.349 within forty-five days following receipt of written notice requesting such information, or violation of law.

(2) The sponsor may place the charter school on probationary status to allow the implementation of a remedial plan, which may require a change of methodology, a change in leadership, or both, after which, if such plan is unsuccessful, the charter may be revoked.

(3) At least sixty days before acting to revoke a charter, the sponsor shall notify the governing board of the charter school of the proposed action in writing. The notice shall state the grounds for the proposed action. The school's governing board may request in writing a hearing before the sponsor within two weeks of receiving the notice.

(4) The sponsor of a charter school shall establish procedures to conduct administrative hearings upon determination by the sponsor that grounds exist to revoke a charter. Final decisions of a sponsor from hearings conducted pursuant to this subsection are subject to an appeal to the state board of education, which shall determine whether the charter shall be revoked.

(5) A termination shall be effective only at the conclusion of the school year, unless the sponsor determines that continued operation of the school presents a clear and immediate threat to the health and safety of the children.

(6) A charter sponsor shall make available the school accountability report card information as provided under section 160.522 and the results of the academic monitoring required under subsection 3 of this section.

9. (1) A sponsor shall take all reasonable steps necessary to confirm that each charter school sponsored by such sponsor is in material compliance and remains in material compliance with all material provisions of the charter and sections 160.400 to 160.425 and 167.349. Every charter school shall provide all information necessary to confirm ongoing compliance with all provisions of its charter and sections 160.400 to 160.425 and 167.349 in a timely manner to its sponsor.

(2) The sponsor's renewal process of the charter school shall be based on the thorough analysis of a comprehensive body of objective evidence and consider if:

(a) The charter school has maintained results on its annual performance report that meet or exceed the district in which the charter school is located based on the performance standards that are applicable to the grade-level configuration of both the charter school and the district in which the charter school is located in three of the last four school years;

(b) The charter school is organizationally and fiscally viable determining at a minimum that the school does not have:

a. A negative balance in its operating funds;

b. A combined balance of less than three percent of the amount expended for such funds during the previous fiscal year; or

c. Expenditures that exceed receipts for the most recently completed fiscal year;

(c) The charter is in compliance with its legally binding performance contract and sections 160.400 to 160.425 and section 167.349.

(3) (a) Beginning August first during the year in which a charter is considered for renewal, a charter school sponsor shall demonstrate to the state board of education that the charter school is in compliance with federal and state law as provided in sections 160.400 to 160.425 and section 167.349 and the school's performance contract including but not limited to those requirements specific to academic performance.

(b) Along with data reflecting the academic performance standards indicated in paragraph (a) of this subdivision, the sponsor shall submit a revised charter application to the state board of education for review.

(c) Using the data requested and the revised charter application under paragraphs (a) and (b) of this subdivision, the state board of education shall determine if compliance with all standards enumerated in this subdivision has been achieved. The state board of education at its next regularly scheduled meeting shall vote on the revised charter application.

(d) If a charter school sponsor demonstrates the objectives identified in this subdivision, the state board of education shall renew the school's charter.

10. A school district may enter into a lease with a charter school for physical facilities.

11. A governing board or a school district employee who has control over personnel actions shall not take unlawful reprisal against another employee at the school district because the employee is directly or indirectly involved in an application to establish a charter school. A governing board or a school district employee shall not take unlawful reprisal against an educational program of the school or the school district because an application to establish a charter school proposes the conversion of all or a portion of the educational program to a charter school. As used in this subsection, "unlawful reprisal" means an action that is taken by a governing board or a school district employee as a direct result of a lawful application to establish a charter school and that is adverse to another employee or an educational program.

12. Charter school board members shall be subject to the same liability for acts while in office as if they were regularly and duly elected members of school boards in any other public school district in this state. The governing board of a charter school may participate, to the same extent as a school board, in the Missouri public entity risk management fund in the manner provided under sections 537.700 to 537.756.

13. Any entity, either public or private, operating, administering, or otherwise managing a charter school shall be considered a quasi-public governmental body and subject to the provisions of sections 610.010 to 610.035.

14. The chief financial officer of a charter school shall maintain:

(1) A surety bond in an amount determined by the sponsor to be adequate based on the cash flow of the school; or

(2) An insurance policy issued by an insurance company licensed to do business in Missouri on all employees in the amount of five hundred thousand dollars or more that provides coverage in the event of employee theft.

**15. (1) The sponsor of each charter school shall adopt a system of classification that accredits charter schools. This system shall be based on the charter school's compliance with terms of the charter school's legally binding performance contract with the sponsor and shall also consider the following:**

**a. The charter school's annual performance report results based on the performance standards that are applicable to the grade level configuration of both the charter school and the district in which the charter school is located;**

**b. If the charter school has a high school program, the graduation rate unless the school has dropout recovery as its mission;**

**c. The charter school's participation in the statewide system of assessments under section 160.518;**

**d. The longitudinal success of the charter school as determined by comparison to the baseline data collected during the first three years of operation;**

**e. The measurement of pupil progress toward the pupil academic standards adopted by the state board of education under section 160.514; and**

**f. If the charter school is identified as a persistently lowest achieving school by the department of elementary and secondary education.**

**(2) The sponsor's system of accreditation shall also consider if the charter school is organizationally and fiscally viable determining at a minimum that the school does not have:**

**a. A negative balance in its operating funds;**

**b. A combined balance of less than three percent of the amount expended for such funds during the previous fiscal year; or**

**c. Expenditures that exceed receipts for the most recently completed fiscal year;**

**(3) The sponsor's system of accreditation shall also consider if the charter school has been placed on probationary status to allow the implementation of a remedial plan.**

**(4) In making accreditation designations, sponsors shall utilize a minimum of three years of performance data.**

**(5) Sponsors shall utilize the accreditation criteria of this subsection in addition to any other applicable requirements of this section when conducting their duties pursuant to subsections 8 and 9 of this section.”; and**

Further amend said bill, page 13, section 160.820, line 20, by inserting after all of said line the following:

**“161.084. When classifying the public schools of the state under section 161.092, the state board of education shall not assign to any school district an accreditation classification of unaccredited or change a district's accreditation classification from accredited to provisionally accredited at any time when there is no state board of education member who is a resident of the congressional district in**

which such school district is located.

**161.086. When the state board of education assigns classification designations to school districts and individual school buildings pursuant to its authority to classify the public schools of the state in section 161.092, the state board shall only use the following classification designations based on the standards adopted by the state board:**

- (1) Unaccredited;**
- (2) Provisionally accredited;**
- (3) Accredited; and**
- (4) Accredited with distinction.”; and**

Further amend said bill, page 20, section 161.096, line 24, by inserting after all of said line the following:

**“161.238. 1. As authorized under its duty to classify the schools of the state under section 161.092, the state board of education shall adopt a system of classification that accredits individual school buildings within a district separately from the district as a whole using the classification designations provided in section 161.086.**

**2. Under this system, the state board of education shall not classify a district as unaccredited unless it has previously classified at least fifty-five percent of the district’s school buildings as unaccredited.**

**3. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.”; and**

Further amend said bill, page 22, section 161.855, line 8, by inserting after all of said line the following:

**“162.081. 1. Whenever any school district in this state fails or refuses in any school year to provide for the minimum school term required by section 163.021 or is classified unaccredited, the state board of education shall, upon a district’s initial classification or reclassification as unaccredited:**

**(1) Review the governance of the district to establish the conditions under which the existing school board shall continue to govern; or**

**(2) Determine the date the district shall lapse and determine an alternative governing structure for the district.**

**2. If at the time any school district in this state shall be classified as unaccredited, the department of elementary and secondary education shall conduct at least two public hearings at a location in the unaccredited school district regarding the accreditation status of the school district. The hearings shall provide an opportunity to convene community resources that may be useful or necessary in supporting the school district as it attempts to return to accredited status, continues under revised governance, or plans for continuity of educational services and resources upon its attachment to a neighboring district. The**

department may request the attendance of stakeholders and district officials to review the district's plan to return to accredited status, if any; offer technical assistance; and facilitate and coordinate community resources. Such hearings shall be conducted at least twice annually for every year in which the district remains unaccredited or provisionally accredited.

3. Upon classification of a district as unaccredited, the state board of education may:

(1) Allow continued governance by the existing school district board of education under terms and conditions established by the state board of education; or

(2) Lapse the corporate organization of the unaccredited district and:

(a) Appoint a special administrative board for the operation of all or part of the district. The number of members of the special administrative board shall not be less than five, the majority of whom shall be residents of the district. The members of the special administrative board shall reflect the population characteristics of the district and shall collectively possess strong experience in school governance, management and finance, and leadership. **The state board of education may appoint members of the district's elected school board to the special administrative board but members of the elected school board shall not comprise more than forty-nine percent of the special administrative board's membership.** Within fourteen days after the appointment by the state board of education, the special administrative board shall organize by the election of a president, vice president, secretary and a treasurer, with their duties and organization as enumerated in section 162.301. The special administrative board shall appoint a superintendent of schools to serve as the chief executive officer of the school district and to have all powers and duties of any other general superintendent of schools in a seven-director school district. Any special administrative board appointed under this section shall be responsible for the operation of the district until such time that the district is classified by the state board of education as provisionally accredited for at least two successive academic years, after which time the state board of education may provide for a transition pursuant to section 162.083; or

(b) Determine an alternative governing structure for the district including, at a minimum:

a. A rationale for the decision to use an alternative form of governance and in the absence of the district's achievement of full accreditation, the state board of education shall review and recertify the alternative form of governance every three years;

b. A method for the residents of the district to provide public comment after a stated period of time or upon achievement of specified academic objectives;

c. Expectations for progress on academic achievement, which shall include an anticipated time line for the district to reach full accreditation; and

d. Annual reports to the general assembly and the governor on the progress towards accreditation of any district that has been declared unaccredited and is placed under an alternative form of governance, including a review of the effectiveness of the alternative governance; or

(c) Attach the territory of the lapsed district to another district or districts for school purposes; or

(d) Establish one or more school districts within the territory of the lapsed district, with a governance structure specified by the state board of education, with the option of permitting a district to remain intact for the purposes of assessing, collecting, and distributing property taxes, to be distributed equitably on a weighted average daily attendance basis, but to be divided for operational purposes, which shall take effect

sixty days after the adjournment of the regular session of the general assembly next following the state board's decision unless a statute or concurrent resolution is enacted to nullify the state board's decision prior to such effective date.

4. If a district remains under continued governance by the school board under subdivision (1) of subsection 3 of this section and either has been unaccredited for three consecutive school years and failed to attain accredited status after the third school year or has been unaccredited for two consecutive school years and the state board of education determines its academic progress is not consistent with attaining accredited status after the third school year, then the state board of education shall proceed under subdivision (2) of subsection 3 of this section in the following school year.

5. A special administrative board appointed under this section shall retain the authority granted to a board of education for the operation of the lapsed school district under the laws of the state in effect at the time of the lapse and may enter into contracts with accredited school districts or other education service providers in order to deliver high-quality educational programs to the residents of the district. If a student graduates while attending a school building in the district that is operated under a contract with an accredited school district as specified under this subsection, the student shall receive his or her diploma from the accredited school district. The authority of the special administrative board shall expire at the end of the third full school year following its appointment, unless extended by the state board of education. If the lapsed district is reassigned, the special administrative board shall provide an accounting of all funds, assets and liabilities of the lapsed district and transfer such funds, assets, and liabilities of the lapsed district as determined by the state board of education. Neither the special administrative board nor its members or employees shall be deemed to be the state or a state agency for any purpose, including section 105.711, et seq. The state of Missouri, its agencies and employees shall be absolutely immune from liability for any and all acts or omissions relating to or in any way involving the lapsed district, the special administrative board, its members or employees. Such immunities, and immunity doctrines as exist or may hereafter exist benefitting boards of education, their members and their employees shall be available to the special administrative board, its members and employees.

6. Neither the special administrative board nor any district or other entity assigned territory, assets or funds from a lapsed district shall be considered a successor entity for the purpose of employment contracts, unemployment compensation payment pursuant to section 288.110, or any other purpose.

7. If additional teachers are needed by a district as a result of increased enrollment due to the annexation of territory of a lapsed or dissolved district, such district shall grant an employment interview to any permanent teacher of the lapsed or dissolved district upon the request of such permanent teacher.

8. In the event that a school district with an enrollment in excess of five thousand pupils lapses, no school district shall have all or any part of such lapsed school district attached without the approval of the board of the receiving school district.

**9. If the state board of education reasonably believes that a school district is unlikely to provide for the minimum school term required by section 163.021 because of financial difficulty, the state board of education may, prior to the start of the school term:**

**(1) Allow continued governance by the existing district school board under terms and conditions established by the state board of education; or**

**(2) Lapse the corporate organization of the district and implement one of the options available under subdivision (2) of subsection 3 of this section.**

**162.432.** Notwithstanding any provision of section 163.011 to the contrary, when a change in a school district's boundary lines occurs because of a boundary line change, annexation, attachment, consolidation, reorganization, or dissolution under sections 162.071, 162.081, 162.171 to 162.201, 162.221, 162.223, 162.431, 162.441, or 162.451, or in the event that a school district assumes any territory from a district that ceases to exist for any reason, the department of elementary and secondary education shall make a proper adjustment to each affected district's local effort, so that each district's local effort figure conforms to the new boundary lines of the district. The department shall compute the local effort figure by applying the calendar year 2004 assessed valuation data to the new land areas resulting from the boundary line change, annexation, attachment, consolidation, reorganization, or dissolution and otherwise follow the procedures described in subdivision (10) of section 163.011.

**162.1303. 1.** The department of elementary and secondary education shall annually calculate a transient student ratio for each public school building and each school district. The department shall publish each district's and each school building's transient student ratio on its website.

**2.** The department shall include, or cause to be included, in each district's school accountability report card the transient student ratio of the district and of each public school building operated by the district.

**3.** The department shall include in each public school building's school accountability report card the transient student ratio for the public school building.

**4.** The department shall publish on its website the state's aggregate transient student ratio.

**5.** A transient student ratio shall be calculated as the product of:

**(1)** One hundred; and

**(2)** The quotient of:

**(a)** The sum of the number of resident full-time students and full-time equivalent number of part-time students who enroll in the district after the last Wednesday of September and the number of reentry students and the number of students who withdrew from the district during the school year; and

**(b)** The sum of the number of students who enrolled in the district on or before the last Wednesday in September and the number of students who enrolled in the district after the last Wednesday of September.

**6.** Each school district shall annually report to the department, by a date established by the department, any information and data required to comply with and perform the calculation required by the provisions of this section.

**7.** The statewide assessment scores and all other performance data for any transient student or any student who has not been enrolled in a district-operated school for the previous three full school terms shall be modified in the following manner when calculating the district's performance for purposes of the Missouri school improvement program or any successor assessment program:

**(1)** Any statewide assessment scores and all other performance data for any student who has not been enrolled in a district-operated school for the preceding full school term shall not be used when calculating the district's performance for purposes of the Missouri school improvement program or



**any successor assessment program;**

**(2) The statewide assessment scores and all other performance data for any student who has been enrolled in a district-operated school for the full preceding school term but has not been enrolled in a district-operated school for the full two preceding school terms shall be weighted at thirty percent of the weight assigned to a student who has been enrolled in a district operated school for the full three preceding school terms when calculating the district's performance for purposes of the Missouri school improvement program or any successor assessment program;**

**(3) The assessment data for any student who has been enrolled in a district-operated school for two full preceding school terms but has not been enrolled in a district-operated school for the full three preceding school terms shall be weighted at seventy percent of the weight assigned to a student who has been enrolled in a district-operated school for the full three preceding school terms when calculating the district's performance for purposes of the Missouri school improvement program or any successor assessment program.**

**8. For purposes of this section, the following terms shall mean:**

**(1) "Department", the department of elementary and secondary education;**

**(2) "Reentry student" or "reentry students", any student who was enrolled in a district, withdrew from the district, and reenrolled in the district.**

**162.1310. 1. When the state board of education classifies any district or school building as unaccredited, the district shall notify the parent or guardian of any student enrolled in the unaccredited district or unaccredited school and any district taxpayer of the loss of accreditation within seven business days. The district's notice shall include an explanation of the option to transfer students to another accredited school in the district, to another accredited district, or to a private nonsectarian school, and any services students may be entitled to receive. The district's notice shall be written in a clear, concise, and easy to understand manner. The district shall post the notice in a conspicuous and accessible place in each district school. The district shall also send the notice to each political subdivision located within the boundaries of the district.**

**2. The school board of any district that operates an unaccredited school, provisionally accredited school, or school with a three year average annual performance report score consistent with a classification of unaccredited or provisionally accredited shall adopt a policy regarding the availability of home visits by school personnel. Pursuant to such policy, the school shall offer to the parent or guardian of a student enrolled in any such school the opportunity to have at least one annual home visit.**

**3. For purposes of this section, the following terms shall mean:**

**(1) "Private nonsectarian school", a school that is not a part of the public school system of the state of Missouri, that charges tuition for the rendering of elementary and secondary educational services, and that does not have a religious affiliation;**

**(2) "Provisionally accredited school", a school building that is classified as provisionally accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086, 161.092, and 161.238;**

**(3) "Unaccredited school", a school building that is classified as unaccredited by the state board**

**of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086, 161.092, and 161.238.**

163.021. 1. A school district shall receive state aid for its education program only if it:

(1) Provides for a minimum of one hundred seventy-four days and one thousand forty-four hours of actual pupil attendance in a term scheduled by the board pursuant to section 160.041 for each pupil or group of pupils, except that the board shall provide a minimum of one hundred seventy-four days and five hundred twenty-two hours of actual pupil attendance in a term for kindergarten pupils. If any school is dismissed because of inclement weather after school has been in session for three hours, that day shall count as a school day including afternoon session kindergarten students. When the aggregate hours lost in a term due to inclement weather decreases the total hours of the school term below the required minimum number of hours by more than twelve hours for all-day students or six hours for one-half-day kindergarten students, all such hours below the minimum must be made up in one-half day or full day additions to the term, except as provided in section 171.033;

(2) Maintains adequate and accurate records of attendance, personnel and finances, as required by the state board of education, which shall include the preparation of a financial statement which shall be submitted to the state board of education the same as required by the provisions of section 165.111 for districts;

(3) Levies an operating levy for school purposes of not less than one dollar and twenty-five cents after all adjustments and reductions on each one hundred dollars assessed valuation of the district;

(4) Computes average daily attendance as defined in subdivision (2) of section 163.011 as modified by section 171.031. Whenever there has existed within the district an infectious disease, contagion, epidemic, plague or similar condition whereby the school attendance is substantially reduced for an extended period in any school year, the apportionment of school funds and all other distribution of school moneys shall be made on the basis of the school year next preceding the year in which such condition existed;

**(5) At any time that it is classified as unaccredited by the state board of education, uses funds derived from the operating levy for school purposes to pay tuition remission for students who attend a nonsectarian private school under section 167.828 of this act.**

2. For the 2006-07 school year and thereafter, no school district shall receive more state aid, as calculated under subsections 1 and 2 of section 163.031, for its education program, exclusive of categorical add-ons, than it received per weighted average daily attendance for the school year 2005-06 from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts, unless it has an operating levy for school purposes, as determined pursuant to section 163.011, of not less than two dollars and seventy-five cents after all adjustments and reductions. Any district which is required, pursuant to article X, section 22 of the Missouri Constitution, to reduce its operating levy below the minimum tax rate otherwise required under this subsection shall not be construed to be in violation of this subsection for making such tax rate reduction. Pursuant to section 10(c) of article X of the state constitution, a school district may levy the operating levy for school purposes required by this subsection less all adjustments required pursuant to article X, section 22 of the Missouri Constitution if such rate does not exceed the highest tax rate in effect subsequent to the 1980 tax year. Nothing in this section shall be construed to mean that a school district is guaranteed to receive an amount not less than the amount the school district received per eligible pupil for the school year 1990-91. The provisions of this subsection shall not apply to any school district located in a county of the second classification which has a nuclear

power plant located in such district or to any school district located in a county of the third classification which has an electric power generation unit with a rated generating capacity of more than one hundred fifty megawatts which is owned or operated or both by a rural electric cooperative except that such school districts may levy for current school purposes and capital projects an operating levy not to exceed two dollars and seventy-five cents less all adjustments required pursuant to article X, section 22 of the Missouri Constitution.

3. No school district shall receive more state aid, as calculated in section 163.031, for its education program, exclusive of categorical add-ons, than it received per eligible pupil for the school year 1993-1994, if the state board of education determines that the district was not in compliance in the preceding school year with the requirements of section 163.172, until such time as the board determines that the district is again in compliance with the requirements of section 163.172.

4. No school district shall receive state aid, pursuant to section 163.031, if such district was not in compliance, during the preceding school year, with the requirement, established pursuant to section 160.530 to allocate revenue to the professional development committee of the district.

5. No school district shall receive more state aid, as calculated in subsections 1 and 2 of section 163.031, for its education program, exclusive of categorical add-ons, than it received per weighted average daily attendance for the school year 2005-06 from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts, if the district did not comply in the preceding school year with the requirements of subsection 6 of section 163.031.

6. Any school district that levies an operating levy for school purposes that is less than the performance levy, as such term is defined in section 163.011, shall provide written notice to the department of elementary and secondary education asserting that the district is providing an adequate education to the students of such district. If a school district asserts that it is not providing an adequate education to its students, such inadequacy shall be deemed to be a result of insufficient local effort. The provisions of this subsection shall not apply to any special district established under sections 162.815 to 162.940.

163.036. 1. In computing the amount of state aid a school district is entitled to receive for the minimum school term only under section 163.031, a school district may use an estimate of the weighted average daily attendance for the current year, or the weighted average daily attendance for the immediately preceding year or the weighted average daily attendance for the second preceding school year, whichever is greater. Beginning with the 2006-07 school year, the summer school attendance included in the average daily attendance as defined in subdivision (2) of section 163.011 shall include only the attendance hours of pupils that attend summer school in the current year. Beginning with the 2004-05 school year, when a district's official calendar for the current year contributes to a more than ten percent reduction in the average daily attendance for kindergarten compared to the immediately preceding year, the payment attributable to kindergarten shall include only the current year kindergarten average daily attendance. Any error made in the apportionment of state aid because of a difference between the actual weighted average daily attendance and the estimated weighted average daily attendance shall be corrected as provided in section 163.091, except that if the amount paid to a district estimating weighted average daily attendance exceeds the amount to which the district was actually entitled by more than five percent, interest at the rate of six percent shall be charged on the excess and shall be added to the amount to be deducted from the district's apportionment the next succeeding year.

2. Notwithstanding the provisions of subsection 1 of this section or any other provision of law, the state

board of education shall make an adjustment for the immediately preceding year for any increase in the actual weighted average daily attendance above the number on which the state aid in section 163.031 was calculated. Said adjustment shall be made in the manner providing for correction of errors under subsection 1 of this section.

3. Any error made in the apportionment of state aid because of a difference between the actual equalized assessed valuation for the current year and the estimated equalized assessed valuation for the current year shall be corrected as provided in section 163.091, except that if the amount paid to a district estimating current equalized assessed valuation exceeds the amount to which the district was actually entitled, interest at the rate of six percent shall be charged on the excess and shall be added to the amount to be deducted from the district's apportionment the next succeeding year.

4. For the purposes of distribution of state school aid pursuant to section 163.031, a school district with ten percent or more of its assessed valuation that is owned by one person or corporation as commercial or personal property who is delinquent in a property tax payment may elect, after receiving notice from the county clerk on or before March fifteenth that more than ten percent of its current taxes due the preceding December thirty-first by a single property owner are delinquent, to use in the local effort calculation of the state aid formula the district's equalized assessed valuation for the preceding year or the actual assessed valuation of the year for which the taxes are delinquent less the assessed valuation of property for which the current year's property tax is delinquent. To qualify for use of the actual assessed valuation of the year for which the taxes are delinquent less the assessed valuation of property for which the current year's property tax is delinquent, a district must notify the department of elementary and secondary education on or before April first, except in the year enacted, of the current year amount of delinquent taxes, the assessed valuation of such property for which delinquent taxes are owed and the total assessed valuation of the district for the year in which the taxes were due but not paid. Any district giving such notice to the department of elementary and secondary education shall present verification of the accuracy of such notice obtained from the clerk of the county levying delinquent taxes. When any of the delinquent taxes identified by such notice are paid during a four-year period following the due date, the county clerk shall give notice to the district and the department of elementary and secondary education, and state aid paid to the district shall be reduced by an amount equal to the delinquent taxes received plus interest. The reduction in state aid shall occur over a period not to exceed five years and the interest rate on excess state aid not refunded shall be six percent annually.

5. If a district receives state aid based on equalized assessed valuation as determined by subsection 4 of this section and if prior to such notice the district was paid state aid pursuant to section 163.031, the amount of state aid paid during the year of such notice and the first year following shall equal the sum of state aid paid pursuant to section 163.031 plus the difference between the state aid amount being paid after such notice minus the amount of state aid the district would have received pursuant to section 163.031 before such notice. To be eligible to receive state aid based on this provision the district must levy during the first year following such notice at least the maximum levy permitted school districts by article X, section 11(b) of the Missouri Constitution and have a voluntary rollback of its tax rate which is no greater than one cent per one hundred dollars assessed valuation.

**6. Notwithstanding the provisions of subsection 1 of this section, any district in which the local school board sponsors a charter school as provided in section 160.400 shall only be permitted to use an estimate of the district's weighted average daily attendance for the current year and shall not be permitted to use a weighted average daily attendance count from any preceding year for purposes of**

**determining the amount of state aid to which the district is entitled.**

167.121. 1. If the residence of a pupil is so located that attendance in the district of residence constitutes an unusual or unreasonable transportation hardship because of natural barriers, travel time, or distance, the commissioner of education or his or her designee may assign the pupil to another district. **The commissioner or his or her designee shall, upon proper application by the parent or guardian of the pupil, assign the pupil and any sibling of the pupil to another district if the following conditions are met:**

**(1) The actual driving distance from the student's residence to the attendance center in the district of residence is seventeen miles or more by the shortest route available as determined by the commissioner or his or her designee;**

**(2) The attendance center to which the student would be assigned in the receiving district is at least seven miles closer in actual driving distance by the shortest route available to the student's residence than the current attendance center in the residence district as determined by the commissioner or his or her designee; and**

**(3) The attendance of the student will not cause the classroom in the receiving district to exceed the maximum number of students per class as determined by the receiving district.**

**2. The commissioner of education shall assign pupils in the order in which applications are received, provided the applications are properly completed and the conditions of subsection 1 of this section are met. Once granted, the hardship assignment shall continue until the pupil, and any sibling of the pupil who attends the same attendance center, completes his or her course of study in the receiving district or the parent or guardian withdraws the pupil. If a parent or guardian withdraws a pupil from a hardship assignment, the granting of a subsequent application is discretionary.**

**3. A pupil shall be eligible to apply to the commissioner of education to be assigned to another district under this section if the pupil has been enrolled in and attending a public school in his or her district of residence during the school year prior to the application. A pupil shall be eligible to apply to the commissioner of education to be assigned to another district under this section if the pupil has been enrolled in and attending a public school in a district other than his or her district of residence and paid nonresident tuition for such enrollment during the school year prior to the application. Pupils who reside in the district who become eligible for kindergarten or first grade shall also be eligible to apply to the commissioner of education to be assigned to another district. A pupil who is not currently enrolled in a public school district shall become eligible to apply to the commissioner of education to be assigned to another district after the student has enrolled in and completed a full school year in a public school in his or her district of residence.**

**4. Subject to the provisions of this section, all existing assignments shall be reviewed prior to July 1, 1984, and from time to time thereafter, and may be continued or rescinded. Any assignment granted to a pupil under this section prior to the effective date of this section shall also be applicable to any sibling of the pupil. Such assignment shall remain in effect until the pupil and any sibling of the pupil completes his or her course of study in the receiving district or until the parent or guardian withdraws the pupil and any sibling of the pupil from the assignment. The board of education of the district in which the pupil lives shall pay the tuition of the pupil assigned. The tuition shall [not exceed the pro rata cost of instruction] be the lesser of the student's district of residence's current expenditure per average daily attendance for the previous school year and the receiving district's current expenditure per**

average daily attendance for the previous school year. If there is disagreement as to the tuition amount, the facts shall be submitted to the state board of education and its decision in the matter shall be final. For any pupil that the commissioner assigns to another district who has an individualized education program, the pupil shall be included in the pupil count of the district of residence for purposes of state aid. No district to which a pupil with an individualized education program is assigned shall be included in such district's pupil count for state aid. If there is disagreement as to the tuition amount for any pupil with an individualized education program, the facts shall be submitted to the state board of education and its decision in the matter shall be final.

[2.] 5. (1) For the school year beginning July 1, 2008, and each succeeding school year, a parent or guardian residing in a lapsed public school district or a district that has scored either unaccredited or provisionally accredited, or a combination thereof, on two consecutive annual performance reports may enroll the parent's or guardian's child in the Missouri virtual school created in section 161.670 provided the pupil first enrolls in the school district of residence. The school district of residence shall include the pupil's enrollment in the virtual school created in section 161.670 in determining the district's average daily attendance. Full-time enrollment in the virtual school shall constitute one average daily attendance equivalent in the school district of residence. Average daily attendance for part-time enrollment in the virtual school shall be calculated as a percentage of the total number of virtual courses enrolled in divided by the number of courses required for full-time attendance in the school district of residence.

(2) A pupil's residence, for purposes of this section, means residency established under section 167.020. Except for students residing in a K-8 district attending high school in a district under section 167.131, the board of the home district shall pay to the virtual school the amount required under section 161.670.

(3) Nothing in this section shall require any school district or the state to provide computers, equipment, internet or other access, supplies, materials or funding, except as provided in this section, as may be deemed necessary for a pupil to participate in the virtual school created in section 161.670.

(4) Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

167.131. 1. The board of education of each district in this state that does not maintain [an accredited] **a high school** [pursuant to the authority of the state board of education to classify schools as established in section 161.092] **offering work through the twelfth grade** shall pay [the] tuition [of] **as calculated by the receiving district under subsection 2 of this section** and provide transportation consistent with the provisions of section 167.241 for each pupil resident therein **who has completed the work of the highest grade offered in the schools of the district and** who attends [an accredited] **a public high school** in another district of the same or an adjoining county.

2. The rate of tuition to be charged by the district attended and paid by the sending district is the per pupil cost of maintaining the district's grade level grouping which includes the school attended. The cost of maintaining a grade level grouping shall be determined by the board of education of the district but in no case shall it exceed all amounts spent for teachers' wages, incidental purposes, debt service, maintenance and replacements. The term "debt service", as used in this section, means expenditures for the retirement

of bonded indebtedness and expenditures for interest on bonded indebtedness. Per pupil cost of the grade level grouping shall be determined by dividing the cost of maintaining the grade level grouping by the average daily pupil attendance. If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state board of education, and its decision in the matter shall be final. Subject to the limitations of this section, each pupil shall be free to attend the public school of his or her choice.

**167.642. 1. No unaccredited district, no provisionally accredited district, and no district with a three year average annual performance report score consistent with a classification of unaccredited or provisionally accredited shall promote a student from the fifth grade to the sixth grade or from the eighth grade to the ninth grade who has not scored at the proficient level or above on the statewide assessments in the areas of English language arts and mathematics.**

**2. Notwithstanding subsection 1 of this section, the provisions of this section shall not apply to any student with an individualized education program, any student receiving services through a plan prepared under Section 504 of the Rehabilitation Act of 1973, any metropolitan school district or any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county.**

**3. For purposes of this section, the following terms shall mean:**

**(1) “Provisionally accredited district”, a school district classified as provisionally accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086 and 161.092;**

**(2) “Unaccredited district”, a school district classified as unaccredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086 and 161.092.**

**167.685. 1. Any unaccredited district, any provisionally accredited district, any district in which sixty-five percent or more of its schools have been classified as unaccredited by the state board of education, or any district with a three year average annual performance report score consistent with a classification of unaccredited or provisionally accredited shall offer free tutoring and supplemental education services to students who are performing below grade level or identified by the district as struggling, using funds from the school district improvement fund.**

**2. There is hereby created in the state treasury the “School District Improvement Fund”. The fund shall consist of any gifts, bequests or public or private donations to such fund. Any person or entity that makes a gift, bequest, or donation to the fund may specify the district that shall be the recipient of such gift, bequest, or donation.**

**3. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section.**

**4. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.**

**5. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.**

**6. For purposes of this section, the following terms shall mean:**

(1) **“Provisionally accredited district”**, a school district classified as provisionally accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086 and 161.092;

(2) **“Unaccredited district”**, a school district classified as unaccredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086 and 161.092.

**167.687. 1.** Any unaccredited district, provisionally accredited district, any district in which sixty-five percent or more of its schools have been classified as unaccredited by the state board of education, or any district with a three year average annual performance report score consistent with a classification of unaccredited or provisionally accredited may perform any or all of the following actions:

(1) Implement a new curriculum, including appropriate professional development, based on scientifically-based research that offers substantial promise of improving educational achievement of low-achieving students;

(2) Retain an outside expert to advise the district or school on its progress toward regaining accreditation;

(3) Enter into a contract with an education management company or education services provider to operate a school or schools within the district that has a demonstrated record of effectiveness;

(4) For any unaccredited school, enter into a collaborative relationship and agreement with an accredited district in which teachers from the unaccredited school may exchange positions with teachers from an accredited school in an accredited district for a period of two school weeks.

**2.** For purposes of this section, the following terms shall mean:

(1) **“Accredited district”**, a school district that is accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086 and 161.092;

(2) **“Accredited school”**, a school building that is accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086, 161.092, and 161.238;

(3) **“Provisionally accredited district”**, a school district classified as provisionally accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086 and 161.092;

(4) **“Provisionally accredited school”**, a school building that is provisionally accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086, 161.092, and 161.238;

(5) **“Unaccredited district”**, a school district classified as unaccredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086 and 161.092;

(6) **“Unaccredited school”**, a school building that is classified as unaccredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086, 161.092, and 161.238.



**167.730. 1. Beginning July 1, 2015, every public school in the metropolitan school district or in any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county, including charter schools, shall incorporate a response-to-intervention tiered approach to reading instruction to focus resources on students who are determined by their school to need additional or changed instruction to make progress as readers. At a minimum, the reading levels of students in kindergarten through tenth grade shall be assessed at the beginning and middle of the school year, and students who score below district benchmarks shall be provided with intensive, systematic reading instruction.**

**2. Beginning January 1, 2015, and every January first thereafter, every public school in the metropolitan school district or in any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county, including charter schools, shall prepare a personalized learning plan for any kindergarten or first grade student whose most recent school-wide reading assessment result shows the student is working below grade level unless the student has been determined by other means in the current school year to be working at grade level or above. The provisions of this section shall not apply to students otherwise served under an individualized education program, to students receiving services through a plan prepared under Section 504 of the Rehabilitation Act of 1973 that includes an element addressing reading below grade level, or to students determined to have limited English proficiency.**

**3. For any student in a metropolitan school district or in any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county that is required by this section to have a personalized learning plan, the student's main teacher shall consult with the student's parent or guardian during the preparation of the plan and shall consult, as appropriate, any district personnel or department of elementary and secondary education personnel with necessary expertise to develop such a plan. The school shall require the written consent of the parent or guardian to implement the plan; however, if the school is unsuccessful in contacting the parent or guardian by January fifteenth, the school may send a letter by certified mail to the student's last known address stating its intention to implement the plan by February first.**

**4. After implementing the personalized learning plan through the end of the student's first grade year, the school shall refer any student who still performs below grade level for assessment to determine if an individualized education program is necessary for the student. A student who is assessed as not needing an individualized education program but who is reading below grade level at the end of the first grade shall continue to be required to have a personalized learning plan until the student is reading at grade level.**

**5. Notwithstanding any provision of law to the contrary, any student in a metropolitan or in any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county who is not reading at second-grade level by the end of second grade may be promoted to the third grade only under one of the following circumstances:**

**(1) The school provides additional reading instruction during the summer and demonstrates the student is ready for third grade at the end of the summer school;**

**(2) The school provides a combined classroom in which the student continues with the same teacher, sometimes referred to as "looping". If the student in such a classroom is not reading at third-grade level by the end of third grade, the student shall be retained in third grade; or**

(3) The student's parents or guardians have signed a notice that they prefer to have their student promoted although the student is reading below grade level. The school shall have the final determination on the issue of retention.

6. The metropolitan school district, any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county, and each charter school located in them shall provide in its annual report card under section 160.522 the numbers and percentages by grade from first grade to tenth grade in each school of any students at any grade level who have been promoted who have been determined as reading below grade level, except that no reporting shall permit the identification of an individual student.

167.825. 1. Any student who is enrolled in and attends a public school that is classified as unaccredited by the state board of education under the system of classification enacted under section 161.238 may transfer to another public school in the student's district of residence that offers the student's grade level of enrollment and that is accredited without provisions by the state board of education. However, no such transfer shall result in a class size and assigned enrollment in a receiving school that exceeds the standard level for class size and assigned enrollment as promulgated in the Missouri school improvement program's resource standards.

2. If the student chooses to attend a magnet school, an academically selective school, or a school with a competitive entrance process within his or her district of residence that has admissions requirements criteria, the student shall meet such admissions requirements criteria in order to attend.

3. Each district shall adopt a policy to grant priority to the lowest achieving students from low-income families if its capacity is insufficient to enroll all pupils who seek to attend.

167.826. 1. If a student residing in an unaccredited district and living within the attendance boundaries of an unaccredited school is unable to transfer to another accredited school within his or her district of residence under section 167.825, the student may transfer to an accredited school within an accredited district located in the same or an adjoining county or may enroll in a nonsectarian private school as provided in section 167.828. The student's district of residence shall pay the student's tuition as established in subsection 3 of this section, or, if applicable, subsection 4 of this section shall apply. If a student enrolls in a nonsectarian private school, the student's district of residence shall pay the student's tuition as provided in section 167.828. A student who wishes to transfer to an accredited district or to a nonsectarian private school shall provide proof that he or she resided in an unaccredited district and within the attendance boundaries of an unaccredited school for a minimum of twelve months prior to applying for a transfer.

2. No provisionally accredited district or provisionally accredited school shall be eligible to receive transfer students. No unaccredited district or unaccredited school shall be eligible to receive transfer students. No district or school with a current year score of seventy-five or lower on its annual performance report under the Missouri school improvement program shall be eligible to receive any transfer students, irrespective of its state board of education accreditation classification, except that any student who was granted a transfer prior to the effective date of this section, to such a district or school may remain enrolled in that district or school.

3. The rate of tuition to be charged by the district attended and paid by the sending district is the per pupil cost of maintaining the district's grade level grouping which includes the school attended. The cost of maintaining a grade level grouping shall be determined by the board of education of the

district but in no case shall it exceed all amounts spent for teachers' wages, incidental purposes, debt service, maintenance, and replacements. The term "debt service", as used in this section, means expenditures for the retirement of bonded indebtedness and expenditures for interest on bonded indebtedness. Per pupil cost of the grade level grouping shall be determined by dividing the cost of maintaining the grade level grouping by the average daily pupil attendance. If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state board of education, and its decision in the matter shall be final. The school board of a receiving district, upon a majority vote of the board, may choose to charge a rate of tuition less than the amount that would otherwise be calculated under this subsection. If any receiving district chooses to charge a rate of tuition that is at least thirty percent less than the rate of tuition that would otherwise be calculated under this subsection, then the statewide assessment scores and all other performance data for those students whom the district received shall not be used for five school years when calculating the performance of the receiving district for purposes of the Missouri school improvement program.

4. If the school board of a receiving district, upon a majority vote of the board, chooses to charge a rate of tuition that is less than ninety percent of the rate that would otherwise be calculated under subsection 3 of this section, ten percent of the receiving district's tuition rate shall be paid from the supplemental tuition fund. There is hereby created in the state treasury the "Supplemental Tuition Fund". The fund shall consist of any moneys appropriated annually by the general assembly from general revenue to such fund, any moneys paid into the state treasury and required by law to be credited to such fund and any gifts, bequests or public or private donations to such fund. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

5. Each district shall have the right to establish and adopt, by objective means, a policy for desirable class size and student-teacher ratios. If a district adopts such a policy, it shall not be required to accept any transfer students under this section that would violate its class size or student-teacher ratio. If a student seeking to transfer is denied admission to a district based on a lack of space under the district's policy, the student or the student's parent or guardian may appeal the ruling to the state board of education if he or she believes the district's policy is unduly restrictive to student transfers. The state board of education shall review the appropriateness of the district's policy and shall give special consideration to any district with a greater than average population of students that qualify for free and reduced lunch. If the state board of education finds that the district's policy is unduly restrictive to student transfers, it may limit the district's policy. The state board of education's decision shall be final.

6. When a district is declared unaccredited, it shall contract with any special school district located in the same or an adjoining county for the reimbursement of special education services provided by the special school district for transfer students who are residents of the unaccredited district.

7. The student's district of residence may provide transportation for him or her to attend another accredited district but shall not be required to do so.

**167.827. 1.** By January first annually, each accredited district, any portion of which is located in the same county or in an adjoining county to an unaccredited district shall report to the education authority for the county in which the unaccredited district is located the number of available enrollment slots by grade level.

**2.** Any education authority whose geographic area includes an unaccredited district or unaccredited school shall make information and assistance available to parents or guardians who intend to transfer their child from an unaccredited district to an accredited district under section 167.826.

**3.** The parent or guardian of a student who intends to enroll his or her child in an accredited district under the provisions of section 167.826 shall send initial notification to the education authority for the county in which he or she resides by March first for enrollment in the subsequent school year.

**4.** The education authority whose geographic area includes an unaccredited district shall assign those students who seek to transfer. The authority shall give first priority to students who live in the same household with any family member within the first or second degree of consanguinity who already attends an accredited school and who apply to attend the same accredited school. The authority shall then grant transfer requests in the order in which they were received. If insufficient enrollment slots are available for a student to be able to transfer, that student shall receive first priority the following school year. Each education authority shall adopt a policy giving enrollment preference to the lowest achieving students if sufficient enrollment slots are not available to enroll all students who apply, while following the order of priority of this subsection. If sufficient enrollment slots are available, the authority shall provide each student a choice of three accredited schools to which he or she may transfer.

**5.** A education authority may deny a transfer to a student with a demonstrated and documented history of school discipline policy violations.

**167.828. 1.** The school board of any district that operates an unaccredited school shall pay tuition for any student who resides within the unaccredited school's attendance boundaries to attend a nonsectarian private school located in his or her district of residence and is unable to transfer to an accredited school in his or her district of residence pursuant to sections 167.825 and 167.826.

**2.** The amount of tuition to be paid shall not exceed the lesser of:

**(1)** The nonsectarian private school's tuition rate; or

**(2)** The nonresident tuition rate under section 167.826 set by the school board of the district in which the nonsectarian private school is located.

**3.** To be eligible to transfer to a nonsectarian private school, a student shall meet the following requirements:

**(1)** Have been unable to transfer to an accredited school within his or her district of residence under section 167.825;

**(2)** Provide proof that he or she has resided in an unaccredited district or unaccredited districts and within the attendance boundaries of an unaccredited school or unaccredited schools for a minimum of twelve months; and

**(3)** Except for a student entering kindergarten or first grade for the first time, have been enrolled

in one or more unaccredited schools in an unaccredited district or unaccredited districts for a minimum of one school term.

4. A nonsectarian private school shall qualify to receive tuition payments under this section only if it satisfies the following conditions:

(1) Is accredited by the North Central Association Commission On Accreditation and School Improvement or demonstrates similar academic quality credentials to the department of elementary and secondary education;

(2) Administers or allows for the administration of the statewide assessments in English language arts and mathematics or equivalent assessments for transfer students;

(3) Complies with all health and safety laws or codes that apply to nonpublic schools;

(4) Holds a valid occupancy permit if required by their municipality; and

(5) Files with the department of elementary and secondary education a statement of intent to accept transfer students that includes the information listed in this subsection.

5. Tuition for a student who attends a nonsectarian private school shall be paid only using funds received by the district from the operating levy for school purposes.

6. The student's district of residence may provide transportation for him or her to attend a nonsectarian private school located within the district but shall not be required to do so.

7. For purposes of this section, the term "nonsectarian school" shall mean a school that is not a part of the public school system of the state of Missouri, that charges tuition for the rendering of elementary and secondary educational services, and that does not have a religious affiliation.

167.830. 1. There is hereby established the "St. Louis Area Education Authority". The authority is hereby constituted a public instrumentality and body politic and corporate, and the exercise by the authority of the powers conferred by this section shall be deemed and held to be the performance of an essential public function. Unless otherwise provided, the authority shall be subject to all general laws pertaining to the operation of seven-director districts as defined in section 160.011.

2. Whenever any metropolitan school district or any district located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants is assigned a classification designation of unaccredited by the state board of education, the authority shall coordinate student transfers from the unaccredited district to accredited districts that are located in the same or an adjoining county as the unaccredited district.

3. The authority shall consist of three members to be appointed by the governor, by and with the advice and consent of the senate, each of whom shall be a resident of the state and a resident of any county with a charter form of government and with more than nine hundred fifty thousand inhabitants or any city not within a county. Not more than two out of the three members of the authority shall be of the same political party. The length of term for members shall be six years except for the initial members, who shall be appointed in the following manner:

(1) One member shall be appointed for a term of two years;

(2) One member shall be appointed for a term of four years; and

(3) One member shall be appointed for a term of six years.

**4. The term length of each initial appointee shall be designated by the governor at the time of making the appointment. Upon the expiration of the initial terms of office, successor members shall be appointed for terms of six years and shall serve until their successors shall have been appointed and shall have qualified. Any member shall be eligible for reappointment. The governor shall fill any vacancy for the remainder of any unexpired term. Any member of the authority may be removed by the governor for misfeasance, malfeasance, willful neglect of duty, or other cause after notice and a public hearing unless the notice or hearing shall be expressly waived in writing.**

**5. Members of the authority shall receive no compensation for services, but shall be entitled to reimbursement for necessary expenses, including traveling and lodging expenses, incurred in the discharge of their duties. Any payment for expenses shall be paid from funds of the authority.**

**6. One member of the authority, designated by the governor for the purpose, shall call and convene the initial organizational meeting of the authority and shall serve as its president pro tempore. At the initial meeting and annually thereafter, the authority shall elect one of its members as president. The authority may appoint an executive director who shall not be a member of the authority and who shall serve at its pleasure. If an executive director is appointed, he or she shall receive such compensation as shall be fixed from time to time by action of the authority. The authority shall appoint a member as secretary who shall keep a record of the proceedings of the authority and shall be the custodian of all books, documents, and papers filed with the authority, the minute books or journal thereof, and its official seal. The secretary may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that the copies are true and correct copies, and all persons dealing with the authority may rely on such certificates. The authority, by resolution duly adopted, shall fix the powers and duties of its executive director as it may, from time to time, deem proper and necessary.**

**7. Meetings, records, and operations of the authority shall be subject to the provisions of chapter 610.**

**8. The authority shall have the following powers, together with all powers incidental thereto or necessary for the performance thereof to:**

- (1) Have perpetual succession as a body politic and corporate;**
- (2) Adopt bylaws for the regulation of its affairs and the conduct of its business;**
- (3) Sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties;**
- (4) Establish and use a corporate seal and to alter the same at pleasure;**
- (5) Maintain an office at such place or places in the state of Missouri as it may designate;**
- (6) Employ an executive director and other staff as needed, with compensation fixed by the authority;**
- (7) Coordinate student transfers from unaccredited districts located in any city not within a county or any county with a charter form of government and with more than nine hundred fifty thousand inhabitants to accredited districts in the same or an adjoining county, as provided by law;**
- (8) Coordinate and collaborate with local districts and local governments for the transfer of students from unaccredited districts located in any city not within a county or any county with a**

charter form of government and with more than nine hundred fifty thousand inhabitants to accredited districts in the same or an adjoining county, as provided by law.

**167.833. 1.** There is hereby created in the state treasury the “St. Louis Area Education Authority Fund”. The fund shall consist of any gifts, bequests or public or private donations to such fund. Any moneys in the fund shall be used to fund the operations of the student transfer coordination authority. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of sections 167.830 and 167.833.

**2.** Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

**3.** The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

**167.836. 1.** There is hereby established the “Jackson County Education Authority”. The authority is hereby constituted a public instrumentality and body politic and corporate, and the exercise by the authority of the powers conferred by this section shall be deemed and held to be the performance of an essential public function. Unless otherwise provided, the authority shall be subject to all general laws pertaining to the operation of seven-director districts as defined in section 160.011.

**2.** Whenever any district located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants is assigned a classification designation of unaccredited by the state board of education, the authority shall coordinate student transfers from the unaccredited district to accredited districts that are located in the same or an adjoining county as the unaccredited district.

**3.** The authority shall consist of three members to be appointed by the governor, by and with the advice and consent of the senate, each of whom shall be a resident of the state and a resident of any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants. Not more than two out of the three members of the authority shall be of the same political party. The length of term for members shall be six years except for the initial members, who shall be appointed in the following manner:

- (1)** One member shall be appointed for a term of two years;
- (2)** One member shall be appointed for a term of four years; and
- (3)** One member shall be appointed for a term of six years.

**4.** The term length of each initial appointee shall be designated by the governor at the time of making the appointment. Upon the expiration of the initial terms of office, successor members shall be appointed for terms of six years and shall serve until their successors shall have been appointed and shall have qualified. Any member shall be eligible for reappointment. The governor shall fill any vacancy for the remainder of any unexpired term. Any member of the authority may be removed by the governor for misfeasance, malfeasance, willful neglect of duty, or other cause after notice and a public hearing unless the notice or hearing shall be expressly waived in writing.

**5.** Members of the authority shall receive no compensation for services, but shall be entitled to

reimbursement for necessary expenses, including traveling and lodging expenses, incurred in the discharge of their duties. Any payment for expenses shall be paid from funds of the authority.

6. One member of the authority, designated by the governor for the purpose, shall call and convene the initial organizational meeting of the authority and shall serve as its president pro tempore. At the initial meeting and annually thereafter, the authority shall elect one of its members as president. The authority may appoint an executive director who shall not be a member of the authority and who shall serve at its pleasure. If an executive director is appointed, he or she shall receive such compensation as shall be fixed from time to time by action of the authority. The authority shall appoint a member as secretary who shall keep a record of the proceedings of the authority and shall be the custodian of all books, documents, and papers filed with the authority, the minute books or journal thereof, and its official seal. The secretary may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that the copies are true and correct copies, and all persons dealing with the authority may rely on such certificates. The authority, by resolution duly adopted, shall fix the powers and duties of its executive director as it may, from time to time, deem proper and necessary.

7. Meetings, records, and operations of the authority shall be subject to the provisions of chapter 610.

8. The authority shall have the following powers, together with all powers incidental thereto or necessary for the performance thereof to:

- (1) Have perpetual succession as a body politic and corporate;
- (2) Adopt bylaws for the regulation of its affairs and the conduct of its business;
- (3) Sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties;
- (4) Establish and use a corporate seal and to alter the same at pleasure;
- (5) Maintain an office at such place or places in the state of Missouri as it may designate;
- (6) Employ an executive director and other staff as needed, with compensation fixed by the authority;
- (7) Coordinate student transfers from unaccredited districts located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants to accredited districts in the same or an adjoining county, as provided by law;
- (8) Coordinate and collaborate with local districts and local governments for the transfer of students from unaccredited districts located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants to accredited districts in the same or an adjoining county, as provided by law.

167.839. 1. There is hereby created in the state treasury the “Jackson County Education Authority Fund”. The fund shall consist of any gifts, bequests or public or private donations to such fund. Any moneys in the fund shall be used to fund the operations of the student transfer coordination authority. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of sections 167.836 and



**167.839.**

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

**167.842. 1.** There is hereby established the “Statewide Education Authority”. The authority is hereby constituted a public instrumentality and body politic and corporate, and the exercise by the authority of the powers conferred by this section shall be deemed and held to be the performance of an essential public function. Unless otherwise provided, the authority shall be subject to all general laws pertaining to the operation of seven-director districts as defined in section 160.011. The jurisdiction of the statewide education authority shall be all counties except for:

(1) Any city not within a county;

(2) Any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants;

(3) Any county with a charter form of government and with more than nine hundred fifty thousand inhabitants;

2. Whenever any district located in the statewide education authority’s jurisdiction is assigned a classification designation of unaccredited by the state board of education, the authority shall coordinate student transfers from the unaccredited district to accredited districts that are located in the same or an adjoining county as the unaccredited district.

3. The authority shall consist of three members to be appointed by the governor, by and with the advice and consent of the senate, each of whom shall be a resident of the state and a resident of any county located in the authority’s jurisdiction. Not more than two out of the three members of the authority shall be of the same political party. The length of term for members shall be six years except for the initial members, who shall be appointed in the following manner:

(1) One member shall be appointed for a term of two years;

(2) One member shall be appointed for a term of four years; and

(3) One member shall be appointed for a term of six years.

4. The term length of each initial appointee shall be designated by the governor at the time of making the appointment. Upon the expiration of the initial terms of office, successor members shall be appointed for terms of six years and shall serve until their successors shall have been appointed and shall have qualified. Any member shall be eligible for reappointment. The governor shall fill any vacancy for the remainder of any unexpired term. Any member of the authority may be removed by the governor for misfeasance, malfeasance, willful neglect of duty, or other cause after notice and a public hearing unless the notice or hearing shall be expressly waived in writing.

5. Members of the authority shall receive no compensation for services, but shall be entitled to reimbursement for necessary expenses, including traveling and lodging expenses, incurred in the discharge of their duties. Any payment for expenses shall be paid from funds of the authority.

6. One member of the authority, designated by the governor for the purpose, shall call and

convene the initial organizational meeting of the authority and shall serve as its president pro tempore. At the initial meeting and annually thereafter, the authority shall elect one of its members as president. The authority may appoint an executive director who shall not be a member of the authority and who shall serve at its pleasure. If an executive director is appointed, he or she shall receive such compensation as shall be fixed from time to time by action of the authority. The authority shall appoint a member as secretary who shall keep a record of the proceedings of the authority and shall be the custodian of all books, documents, and papers filed with the authority, the minute books or journal thereof, and its official seal. The secretary may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that the copies are true and correct copies, and all persons dealing with the authority may rely on such certificates. The authority, by resolution duly adopted, shall fix the powers and duties of its executive director as it may, from time to time, deem proper and necessary.

7. Meetings, records, and operations of the authority shall be subject to the provisions of chapter 610.

8. The authority shall have the following powers, together with all powers incidental thereto or necessary for the performance thereof to:

- (1) Have perpetual succession as a body politic and corporate;
- (2) Adopt bylaws for the regulation of its affairs and the conduct of its business;
- (3) Sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties;
- (4) Establish and use a corporate seal and to alter the same at pleasure;
- (5) Maintain an office at such place or places in the state of Missouri as it may designate;
- (6) Employ an executive director and other staff as needed, with compensation fixed by the authority;
- (7) Coordinate student transfers from unaccredited districts located in the jurisdiction of the statewide education authority to accredited districts in the same or an adjoining county, as provided by law;
- (8) Coordinate and collaborate with local districts and local governments for the transfer of students from unaccredited districts located in the jurisdiction of the statewide education authority to accredited districts in the same or an adjoining county, as provided by law.

167.845. 1. There is hereby created in the state treasury the “Statewide Education Authority Fund”. The fund shall consist of any gifts, bequests, or public or private donations to such fund. Any moneys in the fund shall be used to fund the operations of the student transfer coordination authority. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of sections 167.842 and 167.845.

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are

invested. Any interest and moneys earned on such investments shall be credited to the fund.

**167.848.** For purposes of sections 167.825 to 167.848, the following terms shall mean:

(1) “Accredited district”, a school district that is accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086 and 161.092;

(2) “Accredited school”, a school building that is accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086, 161.092, and 161.238;

(3) “Education authority” or “authority”, an education authority established under sections 167.830 to 167.845;

(4) “Provisionally accredited district”, a school district that is classified as provisionally accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086 and 161.092;

(5) “Provisionally accredited school”, a school building that is classified as provisionally accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086, 161.092, and 161.238;

(6) “Unaccredited district”, a school district classified as unaccredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086 and 161.092;

(7) “Unaccredited school”, a school building that is classified as unaccredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086, 161.092, and 161.238.

**168.205.** Notwithstanding any provision of law to the contrary, two or more school districts may share a superintendent who possesses a valid Missouri superintendent’s license. If any school districts choose to share a superintendent, they shall not be required to receive approval from the department of elementary and secondary education but may notify the department.

**170.320. 1.** There is hereby created in the state treasury the “Parent Portal Fund”. The fund shall consist of any gifts, bequests, or public or private donations to such fund. Any moneys in the fund shall be used to assist districts in establishing and maintaining a parent portal. School districts may establish a parent portal that shall be accessible by mobile technology for parents to have access to educational information and access to student data. Any person or entity that makes a gift, bequest, or donation to the fund may specify the district that shall be the recipient of such gift, bequest, or donation.

**2.** The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section.

**3.** Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

**4.** The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

171.031. 1. Each school board shall prepare annually a calendar for the school term, specifying the opening date and providing a minimum term of at least one hundred seventy-four days for schools with a five-day school week or one hundred forty-two days for schools with a four-day school week, and one thousand forty-four hours of actual pupil attendance. In addition, such calendar shall include six make-up days for possible loss of attendance due to inclement weather as defined in subsection 1 of section 171.033.

2. Each local school district may set its opening date each year, which date shall be no earlier than ten calendar days prior to the first Monday in September. No public school district shall select an earlier start date unless the district follows the procedure set forth in subsection 3 of this section.

3. A district may set an opening date that is more than ten calendar days prior to the first Monday in September only if the local school board first gives public notice of a public meeting to discuss the proposal of opening school on a date more than ten days prior to the first Monday in September, and the local school board holds said meeting and, at the same public meeting, a majority of the board votes to allow an earlier opening date. If all of the previous conditions are met, the district may set its opening date more than ten calendar days prior to the first Monday in September. The condition provided in this subsection must be satisfied by the local school board each year that the board proposes an opening date more than ten days before the first Monday in September.

4. If any local district violates the provisions of this section, the department of elementary and secondary education shall withhold an amount equal to one quarter of the state funding the district generated under section 163.031 for each date the district was in violation of this section.

5. The provisions of subsections 2 to 4 of this section shall not apply to school districts in which school is in session for twelve months of each calendar year.

6. The state board of education may grant an exemption from this section to a school district that demonstrates highly unusual and extenuating circumstances justifying exemption from the provisions of subsections 2 to 4 of this section. Any exemption granted by the state board of education shall be valid for one academic year only.

7. No school day for schools with a five-day school week shall be longer than seven hours except for:

(1) Vocational schools which may adopt an eight-hour day in a metropolitan school district and a school district in a first class county adjacent to a city not within a county[, and];

(2) Any school that adopts a four-day school week in accordance with section 171.029; **and**

**(3) A school district that increases the length of the school day for an unaccredited school or provisionally accredited school by following the procedure established in subsection 8 of this section.**

**8. The school board of any school district in this state, upon adoption of a resolution by a majority vote to authorize such action, may increase the length of the school day by ten percent for any provisionally accredited school or unaccredited school that has a student population, seventy-five percent of which is eligible for free and reduced lunch or seventy-five percent of which has been eligible in any of the three previous school years. Such a school district may also, by the adoption of a resolution by a majority vote to authorize such action, increase the annual hours of instruction above the required number of hours in subsection 1 of this section.**

**9. (1) There is hereby created in the state treasury the “Extended Learning Time Fund”. The fund shall consist of any moneys that may be appropriated by the general assembly from general revenue**

to such fund, any moneys paid into the state treasury and required by law to be credited to such fund and any gifts, bequests or public or private donations to such fund.

(2) The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of subsection 8 of this section.

(3) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(4) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

10. For purposes of this section, the following terms shall mean:

(1) “Provisionally accredited school”, a school building that is classified as provisionally accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086, 161.092, and 161.238;

(2) “Unaccredited school”, a school building that is classified as unaccredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.086, 161.092, and 161.238.”; and

Further amend said bill and page, section B, line 11 by inserting after the word “standards” the following: “and the need to provide guidance on student transfers and school accreditation”; and

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted.

At the request of Senator Emery, **HB 1490**, with **SCS, SS** for **SCS** and **SA 17** (pending), was placed on the Informal Calendar.

### THIRD READING OF SENATE BILLS

**SB 958**, introduced by Senator Nieves, entitled:

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to sales and use tax exemptions for aircraft.

Was taken up.

On motion of Senator Nieves, **SB 958** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Wallingford—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Nieves, title to the bill was agreed to.

Senator Nieves moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**SS** for **SB 866**, introduced by Senator Wasson, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 866

An Act to amend chapter 408, RSMo, by adding thereto one new section relating to installment loan lenders.

Was taken up.

On motion of Senator Wasson, **SS** for **SB 866** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Silvey	Walsh	Wasson—28				

NAYS—Senators

Justus	Keaveny	Sifton—3
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Absent—Senator Wallingford—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

**REPORTS OF STANDING COMMITTEES**

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SB 964**; **HCS** for **HB 1729**; **HB 1132**, with **SCS**; **HCS** for **HB 1237**; and **HB 1506**, begs leave to report that it has considered the same and recommends that the bills do pass.

### THIRD READING OF SENATE BILLS

**SB 964**, introduced by Senator Lager, entitled:

An Act to repeal sections 144.010, 262.900, 265.300, 267.565, and 277.020, RSMo, and to enact in lieu thereof five new sections relating to the definition of livestock.

Was taken up.

On motion of Senator Lager, **SB 964** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Holsman	Kehoe	Kraus
Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves	Parson
Richard	Romine	Sater	Schaaf	Schaefer	Wallingford	Wasson—23	

#### NAYS—Senators

Chappelle-Nadal	Dempsey	Justus	Keaveny	Pearce	Schmitt	Sifton	Silvey
Walsh—9							

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

### REPORTS OF STANDING COMMITTEES

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1073**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 2238**, begs leave to report that it has considered the same and recommends that the

Senate Committee Substitute, hereto attached, do pass.

### REFERRALS

President Pro Tem Dempsey referred **HCS** for **HB 2238**, with **SCS**, to the Committee on Governmental Accountability and Fiscal Oversight.

Senator Pearce assumed the Chair.

### PRIVILEGED MOTIONS

Senator Parson moved that the Senate refuse to recede from its position on **SS** for **HB 1361**, as amended, and grant the House a conference thereon, which motion prevailed.

Senator Schaaf moved that the Senate refuse to concur in **SCS** for **SB 612**, with **HA 1**, **HA 2**, **HA 3**, **HA 4** and **HA 5** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

### HOUSE BILLS ON THIRD READING

At the request of Senator Parson, **HCS** for **HB 1729** was placed on the Informal Calendar.

**HB 1132**, introduced by Representative Engler, et al, with **SCS**, entitled:

An Act to repeal sections 135.600 and 135.630, RSMo, and to enact in lieu thereof two new sections relating to tax credits for contributions to pregnancy resource centers.

Was taken up by Senator Romine.

**SCS** for **HB 1132**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1132

An Act to repeal sections 135.600, 135.630, and 135.647, RSMo, and to enact in lieu thereof three new sections relating to benevolent tax credits.

Was taken up.

Senator Romine moved that **SCS** for **HB 1132** be adopted, which motion prevailed.

On motion of Senator Romine, **SCS** for **HB 1132** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—30		

NAYS—Senator Justus—1

Absent—Senator Wasson—1



Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS for HB 1459**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the innovation campus tax credit.

Was taken up by Senator Romine.

On motion of Senator Romine, **HCS for HB 1459** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS for HB 1439**, with **SCS**, entitled:

An Act to repeal sections 1.320, 21.750, 84.340, 571.030, 571.080, 571.101, 571.107, 571.111, 571.117, 590.010, and 590.205, RSMo, and to enact in lieu thereof twenty-four new sections relating to firearms, with penalty provisions, a contingent effective date for a certain section and an emergency clause.

Was taken up by Senator Nieves.

**SCS for HCS for HB 1439**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1439

An Act to repeal sections 1.320, 21.750, 571.030, 571.080, 571.101, 571.107, 571.111, 571.117, 590.010, and 590.205, RSMo, and to enact in lieu thereof twenty-three new sections relating to firearms, with penalty provisions and a contingent effective date for certain sections.

Was taken up.

Senator Nieves moved that **SCS** for **HCS** for **HB 1439** be adopted.

Senator Nieves offered **SS** for **SCS** for **HCS** for **HB 1439**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1439

An Act to repeal sections 1.320, 21.750, 57.015, 57.201, 57.220, 57.250, 544.216, 571.030, 571.080, 571.101, 571.104, 571.107, 571.111, 571.117, 590.010, 590.205, and 650.350, RSMo, and to enact in lieu thereof thirty-one new sections relating to firearms, with penalty provisions and a contingent effective date for certain sections.

Senator Nieves moved that **SS** for **SCS** for **HCS** for **HB 1439** be adopted.

Senator Nieves offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1439, Page 75, Section 1, Line 28 of said page, by inserting immediately after “21.750,” the following: “**57.015, 57.201, 57.220, 57.250,**”; and

Further amend said bill and section, page 76, lines 1-2 of said page, by striking all of said lines and inserting in lieu thereof the following: “**544.216, 571.012, 571.030, 571.101, 571.104, 571.107, 571.111, 571.117, 571.510, 590.010, 590.200, 590.205, 590.207, or 650.350 of this act or the application thereof to**”; and

Further amend said bill and page, section 2, line 6 of said page, by inserting immediately after “Section 1” the following: “**of this act**”; and further amend lines 8-10 of said page, by striking all of said lines and inserting in lieu thereof the following: “**1.440, 1.450, 1.460, 1.470, 1.480, 21.750, 57.015, 57.201, 57.220, 57.250, 160.665, 544.216, 571.012, 571.030, 571.101, 571.104, 571.107, 571.111, 571.117, 571.510, 590.010, 590.200, 590.205, 590.207, or 650.350 of this act.**”; and

Further amend said bill and page, section B, line 16 of said page, by inserting immediately after “1.480” the following: “**of this act**”.

Senator Nieves moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Nieves, **HCS** for **HB 1439**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 673**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 701**.

With House Amendment Nos. 1, 3 and 4.

**HOUSE AMENDMENT NO. 1**

Amend Senate Bill No. 701, Page 1, In the Title, Lines 2 and 3, by deleting the words, “school superintendents” and inserting in lieu thereof the words, “elementary and secondary education”; and

Further amend said bill, Page 1, Section 168.205, Line 6, by inserting after all of said line the following:

**“Section 1. 1. Notwithstanding any provision of law to the contrary, no district shall be penalized for any reason under the Missouri school improvement program if students who graduate from the district complete career and technical education programs approved by the department of elementary and secondary education but are not placed in occupations directly related to their training within six months of graduating.**

**2. The department of elementary and secondary education shall revise its scoring guide under the Missouri school improvement program to provide additional points to districts that create and enter into a partnership with area career centers, comprehensive high schools, industry, and business to develop and implement a pathway for students to:**

**(1) Enroll in a program of career and technical education while in high school;**

**(2) Participate and complete an internship or apprenticeship during their final year of high school;**  
**and**

**(3) Obtain the industry certification or credentials applicable to their program or career and technical education and internship or apprenticeship.**

**3. Each school district shall be authorized to create and enter into a partnership with area career centers, comprehensive high schools, industry, and business to develop and implement a pathway for students to:**

**(1) Enroll in a program of career and technical education while in high school;**

**(2) Participate and complete an internship or apprenticeship during their final year of high school;**  
**and**

**(3) Obtain the industry certification or credentials applicable to their program or career and technical education and internship or apprenticeship.**

**4. The department of elementary and secondary education shall permit student scores, that are from a nationally recognized examination that demonstrates achievement of workplace employability skills, to count towards credit for college and career readiness standards on the Missouri school improvement program or any subsequent school accreditation or improvement program.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Bill No. 701, Page 1, In the Title, Lines 2 through 3, by deleting the words “school superintendents” and inserting in lieu thereof the words “elementary and secondary education”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

“160.522. 1. The department of elementary and secondary education shall produce or cause to be produced, at least annually, a school accountability report card for each public school district, each public school building in a school district, and each charter school in the state. The report card shall be designed to satisfy state and federal requirements for the disclosure of statistics about students, staff, finances, academic achievement, and other indicators. The purpose of the report card shall be to provide educational statistics and accountability information for parents, taxpayers, school personnel, legislators, and the print and broadcast news media in a standardized, easily accessible form.

2. The department of elementary and secondary education shall develop a standard form for the school accountability report card. The information reported shall include, but not be limited to, the district’s most recent accreditation rating, enrollment, rates of pupil attendance, high school dropout rate and graduation rate, the number and rate of suspensions of ten days or longer and expulsions of pupils, the district ratio of students to administrators and students to classroom teachers, the average years of experience of professional staff and advanced degrees earned, student achievement as measured through the assessment system developed pursuant to section 160.518, student scores on the ACT, along with the percentage of graduates taking the test, average teachers’ and administrators’ salaries compared to the state averages, average per pupil current expenditures for the district as a whole and by attendance center as reported to the department of elementary and secondary education, the adjusted tax rate of the district, assessed valuation of the district, percent of the district operating budget received from state, federal, and local sources, the percent of students eligible for free or reduced-price lunch, data on the percent of students continuing their education in postsecondary programs, information about the job placement rate for students who complete district vocational education programs, whether the school district currently has a state-approved gifted education program, and the percentage and number of students who are currently being served in the district’s state-approved gifted education program.

3. The report card shall permit the disclosure of data on a school-by-school basis, but the reporting shall not be personally identifiable to any student or education professional in the state.

4. The report card shall identify each school or attendance center that has been identified as a priority school under sections 160.720 and 161.092. The report also shall identify attendance centers that have been categorized under federal law as needing improvement or requiring specific school improvement strategies.

5. The report card shall not limit or discourage other methods of public reporting and accountability by

local school districts. Districts shall provide information included in the report card to parents, community members, the print and broadcast news media, and legislators by December first annually or as soon thereafter as the information is available to the district, giving preference to methods that incorporate the reporting into substantive official communications such as student report cards. The school district shall provide a printed copy of the district-level or school-level report card to any patron upon request and shall make reasonable efforts to supply businesses such as, but not limited to, real estate and employment firms with copies or other information about the reports so that parents and businesses from outside the district who may be contemplating relocation have access.

**6. For purposes of completing and distributing the annual report card as prescribed in this section 160.522, a school district may include the data from a charter school located within such school district, provided the local board of education or special administrative board for such district and the charter school reach mutual agreement for the inclusion of the data from the charter schools and the terms of such agreement are approved by the state board of education. The charter school shall not be required to be a part of the local educational agency of such school district and may maintain a separate local educational agency status.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend Senate Bill No. 701, Page 1, In the Title, Lines 2 and 3 by deleting the words, “school superintendents” and inserting in lieu thereof the words, “elementary and secondary education”; and

Further amend said bill, Page 1, Section 168.205, Line 6, by inserting after all of said section and line the following:

**“262.960. 1. This section shall be known and may be cited as the “Farm-to-School Act”.**

**2. There is hereby created within the department of agriculture the “Farm-to-School Program” to connect Missouri farmers and schools in order to provide schools with locally grown agricultural products for inclusion in school meals and snacks and to strengthen local farming economies. The department shall designate an employee to administer and monitor the farm-to-school program and to serve as liaison between Missouri farmers and schools.**

**3. The following agencies shall make staff available to the Missouri farm-to-school program for the purpose of providing professional consultation and staff support to assist the implementation of this section:**

- (1) The department of health and senior services;**
- (2) The department of elementary and secondary education; and**
- (3) The office of administration.**

**4. The duties of the department employee coordinating the farm-to-school program shall include, but not be limited to:**

**(1) Establishing and maintaining a website database to allow farmers and schools to connect whereby farmers can enter the locally grown agricultural products they produce along with pricing information, the times such products are available, and where they are willing to distribute such**

products;

(2) Providing leadership at the state level to encourage schools to procure and use locally grown agricultural products;

(3) Conducting workshops and training sessions and providing technical assistance to school food service directors, personnel, farmers, and produce distributors and processors regarding the farm-to-school program; and

(4) Seeking grants, private donations, or other funding sources to support the farm-to-school program.

**262.962. 1.** As used in this section, section 262.960, and subsection 5 of section 348.707, the following terms shall mean:

(1) “Locally grown agricultural products”, food or fiber produced or processed by a small agribusiness or small farm;

(2) “Schools”, includes any school in this state that maintains a food service program under the United States Department of Agriculture and administered by the school;

(3) “Small agribusiness”, as defined in section 348.400, and located in Missouri with gross annual sales of less than five million dollars;

(4) “Small farm”, a family-owned farm or family farm corporation as defined in section 350.010, and located in Missouri with less than two hundred fifty thousand dollars in gross sales per year.

**2.** There is hereby created a taskforce under the AgriMissouri program established in section 261.230, which shall be known as the “Farm-to-School Taskforce”. The taskforce shall be made up of at least one representative from each of the following agencies: the University of Missouri extension service, the department of agriculture, the department of elementary and secondary education, and the office of administration. In addition, the director of the department of agriculture shall appoint two persons actively engaged in the practice of small agribusiness. In addition, the director of the department of elementary and secondary education shall appoint two persons from schools within the state who direct a food service program. One representative for the department of agriculture shall serve as the chairperson for the taskforce and shall coordinate the taskforce meetings. The taskforce shall hold at least two meetings, but may hold more as it deems necessary to fulfill its requirements under this section. Staff of the department of agriculture may provide administrative assistance to the taskforce if such assistance is required.

**3.** The mission of the taskforce is to provide recommendations for strategies that:

(1) Allow schools to more easily incorporate locally grown agricultural products into their cafeteria offerings, salad bars, and vending machines; and

(2) Allow schools to work with food service providers to ensure greater use of locally grown agricultural products by developing standardized language for food service contracts.

**4.** In fulfilling its mission under this section, the taskforce shall review various food service contracts of schools within the state to identify standardized language that could be included in such contracts to allow schools to more easily procure and use locally grown agricultural products.

**5. The taskforce shall prepare a report containing its findings and recommendations and shall deliver such report to the governor, the general assembly, and to the director of each agency represented on the taskforce by no later than December 31, 2015.**

**6. In conducting its work, the taskforce may hold public meetings at which it may invite testimony from experts, or it may solicit information from any party it deems may have information relevant to its duties under this section.**

**7. This section shall expire on December 31, 2015.**

348.407. 1. The authority shall develop and implement agricultural products utilization grants as provided in this section.

2. The authority may reject any application for grants pursuant to this section.

3. The authority shall make grants, and may make loans or guaranteed loans from the grant fund to persons for the creation, development and operation, for up to three years from the time of application approval, of rural agricultural businesses whose projects add value to agricultural products and aid the economy of a rural community.

4. The authority may make loan guarantees to qualified agribusinesses for agricultural business development loans for businesses that aid in the economy of a rural community and support production agriculture or add value to agricultural products by providing necessary products and services for production or processing.

**5. The authority may make grants, loans, or loan guarantees to Missouri businesses to access resources for accessing and processing locally grown agricultural products for use in schools within the state.**

**6.** The authority may, upon the provision of a fee by the requesting person in an amount to be determined by the authority, provide for a feasibility study of the person's rural agricultural business concept.

[6.] **7.** Upon a determination by the authority that such concept is feasible and upon the provision of a fee by the requesting person, in an amount to be determined by the authority, the authority may then provide for a marketing study. Such marketing study shall be designed to determine whether such concept may be operated profitably.

[7.] **8.** Upon a determination by the authority that the concept may be operated profitably, the authority may provide for legal assistance to set up the business. Such legal assistance shall include, but not be limited to, providing advice and assistance on the form of business entity, the availability of tax credits and other assistance for which the business may qualify as well as helping the person apply for such assistance.

[8.] **9.** The authority may provide or facilitate loans or guaranteed loans for the business including, but not limited to, loans from the United States Department of Agriculture Rural Development Program, subject to availability. Such financial assistance may only be provided to feasible projects, and for an amount that is the least amount necessary to cause the project to occur, as determined by the authority. The authority may structure the financial assistance in a way that facilitates the project, but also provides for a compensatory return on investment or loan payment to the authority, based on the risk of the project.

[9.] **10.** The authority may provide for consulting services in the building of the physical facilities of the business.

[10.] **11.** The authority may provide for consulting services in the operation of the business.

[11.] **12.** The authority may provide for such services through employees of the state or by contracting with private entities.

[12.] **13.** The authority may consider the following in making the decision:

(1) The applicant's commitment to the project through the applicant's risk;

(2) Community involvement and support;

(3) The phase the project is in on an annual basis;

(4) The leaders and consultants chosen to direct the project;

(5) The amount needed for the project to achieve the bankable stage; and

(6) The [projects] **project's** planning for long-term success through feasibility studies, marketing plans and business plans.

[13.] **14.** The department of agriculture, the department of natural resources, the department of economic development and the University of Missouri may provide such assistance as is necessary for the implementation and operation of this section. The authority may consult with other state and federal agencies as is necessary.

[14.] **15.** The authority may charge fees for the provision of any service pursuant to this section.

[15.] **16.** The authority may adopt rules to implement the provisions of this section.

[16.] **17.** Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 348.005 to 348.180 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 716**, entitled:

An Act to amend chapters 191 and 197, RSMo, by adding thereto two new sections relating to public health.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7, as amended, House Amendment No. 1 to House Amendment No. 8, House



Amendment No. 8, as amended, House Amendment Nos. 9, 10 and 11.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“174.335. 1. Beginning with the 2004-2005 school year and for each school year thereafter, every public institution of higher education in this state shall require all students who reside in on-campus housing to [sign a written waiver stating that the institution of higher education has provided the student, or if the student is a minor, the student’s parents or guardian, with detailed written information on the risks associated with meningococcal disease and the availability and effectiveness of] **have received the meningococcal conjugate vaccine unless a signed statement of medical or religious exemption is on file with the institution’s administration. A student shall be exempted from the immunization requirement of this section upon signed certification by a physician licensed under chapter 334, indicating that either the immunization would seriously endanger the student’s health or life or the student has documentation of the disease or laboratory evidence of immunity to the disease. A student shall be exempted from the immunization requirement of this section if he or she objects in writing to the institution’s administration that immunization violates his or her religious beliefs.**

2. [Any student who elects to receive the meningococcal vaccine shall not be required to sign a waiver referenced in subsection 1 of this section and shall present a record of said vaccination to the institution of higher education.

3.] Each public university or college in this state shall maintain records on the meningococcal vaccination status of every student residing in on-campus housing at the university or college[, including any written waivers executed pursuant to subsection 1 of this section].

[4.] **3.** Nothing in this section shall be construed as requiring any institution of higher education to provide or pay for vaccinations against meningococcal disease.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“191.331. 1. Every infant who is born in this state shall be tested for phenylketonuria and such other metabolic or genetic diseases as are prescribed by the department. The test used by the department shall be dictated by accepted medical practice and such tests shall be of the types approved by the department. All newborn screening tests required by the department shall be performed by the department of health and senior services laboratories. **Each birthing hospital or birth center in the state shall designate an employee to be responsible for the newborn screening program in that institution.** The attending physician, certified nurse midwife, public health facility, ambulatory surgical center or hospital shall assure that appropriate specimens are collected **and all information requested is provided on the newborn screening collection forms purchased from the department** and submitted to [the department of health and senior services laboratories] **the appropriate courier service pickup location as soon as the specimens are dry, which shall be a minimum of three hours from the time of collection, and no later**

than within twenty-four hours of collection in order to be transported to the department of health and senior services laboratory by the next scheduled courier pickup. If courier service is not available at the facility or at a location nearby, then first-class mail or other appropriate means can be utilized within the same time constraints for the sending of the specimens.

2. Specimens shall be collected in accordance with instructions on the specimen collection form. The timing of specimen collection shall be determined by the conditions specified as follows:

(1) A specimen shall be taken from all infants before being discharged from the hospital or birthing facility regardless of age. A specimen collected between twenty-four and forty-eight hours of age is considered optimum for newborn screening. A second or repeat specimen shall be required within fourteen days of age if the initial specimen was collected before twenty-four hours of age;

(2) Initial specimens from ill or premature infants shall be collected before a blood transfusion or between twenty-four to forty-eight hours of age. All ill or premature infants shall have a repeat screen collected between seven to fourteen days of age;

(3) If an infant has been transferred from one hospital to another, the records shall clearly indicate if a specimen for newborn screening was collected and submitted. If no specimen was collected, the hospital the infant was transferred to shall collect a specimen and submit it within forty-eight hours of the transfer.

3. All physicians, certified nurse midwives, **certified professional midwives, lay midwives**, public health nurses and administrators of ambulatory surgical centers or hospitals shall report to the department all diagnosed cases of phenylketonuria and other metabolic or genetic diseases as designated by the department. **The health care provider caring for an infant with an abnormal high-risk test report from newborn screening shall report a definitive diagnosis within thirty days of the date of diagnosis for such infant to the appropriate newborn screening follow-up center as contracted by the department.** The department shall prescribe and furnish all necessary reporting forms.

[3.] 4. The department shall develop and institute educational programs concerning phenylketonuria and other metabolic and genetic diseases and assist parents, physicians, hospitals and public health nurses in the management and basic treatment of these diseases.

[4.] 5. The provisions of this section shall not apply if the parents of such child object to the tests or examinations provided in this section on the grounds that such tests or examinations conflict with their religious tenets and practices.

[5.] 6. As provided in subsection [4] 5 of this section, the parents of any child who fail to have such test or examination administered after notice of the requirement for such test or examination shall be required to document in writing such refusal. All physicians, certified nurse midwives, **certified professional midwives, lay midwives**, public health nurses and administrators of ambulatory surgical centers or hospitals shall provide to the parents or guardians a written packet of educational information developed and supplied by the department of health and senior services describing the type of specimen, how it is obtained, the nature of diseases being screened, and the consequences of treatment and nontreatment. The attending physician, certified nurse midwife, **certified professional midwife, lay midwife**, public health facility, ambulatory surgical center or hospital shall obtain the written refusal [and] , make such refusal part of the medical record of the infant, **and send a copy of the written objection to the department.**

[6.] **7.** Notwithstanding the provisions of section 192.015 to the contrary, the department may, by rule, annually determine and impose a reasonable fee for each newborn screening test made in any of its laboratories. The department may collect the fee from any entity or individual described in subsection 1 of this section in a form and manner established by the department. Such fee shall be considered as a cost payable to such entity by a health care third-party payer, including, but not limited to, a health insurer operating pursuant to chapter 376, a domestic health services corporation or health maintenance organization operating pursuant to chapter 354, and a governmental or entitlement program operating pursuant to state law. Such fee shall not be considered as part of the internal laboratory costs of the persons and entities described in subsection 1 of this section by such health care third-party payers. No individual shall be denied screening because of inability to pay. Such fees shall be deposited in a separate account in the public health services fund created in section 192.900, and funds in such account shall be used for the support of the newborn screening program and activities related to the screening, diagnosis, and treatment, including special dietary products, of persons with metabolic and genetic diseases; and follow-up activities that ensure that diagnostic evaluation, treatment and management is available and accessible once an at-risk family is identified through initial screening; and for no other purpose. These programs may include education in these areas and the development of new programs related to these diseases.

[7.] **8.** Subject to appropriations provided for formula for the treatment of inherited diseases of amino acids and organic acids, the department shall provide such formula to persons with inherited diseases of amino acids and organic acids subject to the conditions described in this subsection. State assistance pursuant to this subsection shall be available to an applicant only after the applicant has shown that the applicant has exhausted all benefits from third-party payers, including, but not limited to, health insurers, domestic health services corporations, health maintenance organizations, Medicare, Medicaid and other government assistance programs.

[8.] **9.** Assistance under subsection [7] **8** of this section shall be provided to the following:

- (1) Applicants ages birth to five years old meeting the qualifications under subsection [7] **8** of this section;
- (2) Applicants between the ages of six to eighteen meeting the qualifications under subsection [7] **8** of this section and whose family income is below three hundred percent of the federal poverty level;
- (3) Applicants between the ages of six to eighteen meeting the qualifications under subsection [7] **8** of this section and whose family income is at three hundred percent of the federal poverty level or above. For these applicants, the department shall establish a sliding scale of fees and monthly premiums to be paid in order to receive assistance under subsection [7] **8** of this section; and
- (4) Applicants age nineteen and above meeting the qualifications under subsection [7] **8** of this section and who are eligible under an income-based means test established by the department to determine eligibility for the assistance under subsection [7] **8** of this section.

[9.] **10.** The department shall have authority over the use, retention, and disposal of biological specimens and all related information collected in connection with newborn screening tests conducted under subsection 1 of this section. The use of such specimens and related information shall only be made for public health purposes and shall comply with all applicable provisions of federal law. The department may charge a reasonable fee for the use of such specimens for public health research and preparing and supplying specimens for research proposals approved by the department.

**11. If any person or entity has reason to believe that a physician, certified nurse midwife, certified professional midwife, lay midwife, public health facility, ambulatory surgical center, or hospital has violated a provision of this section, such person or entity shall file a complaint with the department. Upon receipt of such a complaint, the department shall conduct an investigation of the suspected physician, certified nurse midwife, certified professional midwife, lay midwife, public health facility, ambulatory surgical center, or hospital.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE AMENDMENT NO. 3**

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 1, Section 191.761, Line 15, by inserting after all of said section and line the following:

**“191.990. 1. The MO HealthNet division and the department of health and senior services shall collaborate to coordinate goals and benchmarks in each agency’s plans to reduce the incidence of diabetes in Missouri, improve diabetes care, and control complications associated with diabetes.**

**2. The MO HealthNet division and the department of health and senior services shall submit a report to the general assembly by January first of each odd-numbered year on the following:**

**(1) The prevalence and financial impact of diabetes of all types on the state of Missouri. Items in this assessment shall include an estimate of the number of people with diagnosed and undiagnosed diabetes, the number of individuals with diabetes impacted or covered by the agency programs addressing diabetes, the financial impact of diabetes, and its complications on Missouri based on the most recently published cost estimates for diabetes;**

**(2) An assessment of the benefits of implemented programs and activities aimed at controlling diabetes and preventing the disease;**

**(3) A description of the level of coordination existing between the agencies, their contracted partners, and other stakeholders on activities, programs, and messaging on managing, treating, or preventing all forms of diabetes and its complications;**

**(4) The development or revision of detailed action plans for battling diabetes with a range of actionable items for consideration by the general assembly. The plans shall identify proposed action steps to reduce the impact of diabetes, prediabetes, and related diabetes complications. The plan also shall identify expected outcomes of the action steps proposed in the following biennium while also establishing benchmarks for controlling and preventing diabetes; and**

**(5) The development of a detailed budget blueprint identifying needs, costs, and resources required to implement the plan identified in subdivision (4) of this subsection. This blueprint shall include a budget range for all options presented in the plan identified in subdivision (4) of this subsection for consideration by the general assembly.**

**3. The requirements of subsections 1 and 2 of this section shall be limited to diabetes information, data, initiatives, and programs within each agency prior to the effective date of this section, unless there is unobligated funding for diabetes in each agency that may be used for new research, data collection, reporting, or other requirements of subsections 1 and 2 of this section.**

**191.1140. 1.** Subject to appropriations, the University of Missouri shall manage the “Show-Me Extension for Community Health Care Outcomes (ECHO) Program”. The department of health and senior services shall collaborate with the University of Missouri in utilizing the program to expand the capacity to safely and effectively treat chronic, common, and complex diseases in rural and underserved areas of the state and to monitor outcomes of such treatment.

**2.** The program is designed to utilize current telehealth technology to disseminate knowledge of best practices for the treatment of chronic, common, and complex diseases from a multidisciplinary team of medical experts to local primary care providers who will deliver the treatment protocol to patients, which will alleviate the need of many patients to travel to see specialists and will allow patients to receive treatment more quickly.

**3.** The program shall utilize local community health care workers with knowledge of local social determinants as a force multiplier to obtain better patient compliance and improved health outcomes.”; and

Further amend said bill, Page 2, Section 197.168, Line 9, by inserting after all of said section and line the following:

**“208.662. 1.** There is hereby established within the department of social services the “Show-Me Healthy Babies Program” as a separate children’s health insurance program (CHIP) for any low-income unborn child. The program shall be established under the authority of Title XXI of the federal Social Security Act, the State Children’s Health Insurance Program, as amended, and 42 CFR 457.1.

**2.** For an unborn child to be enrolled in the show-me healthy babies program, his or her mother shall not be eligible for coverage under Title XIX of the federal Social Security Act, the Medicaid program, as it is administered by the state, and shall not have access to affordable employer-subsidized health care insurance or other affordable health care coverage that includes coverage for the unborn child. In addition, the unborn child shall be in a family with income eligibility of no more than three hundred percent of the federal poverty level, or the equivalent modified adjusted gross income, unless the income eligibility is set lower by the general assembly through appropriations. In calculating family size as it relates to income eligibility, the family shall include, in addition to other family members, the unborn child, or in the case of a mother with a multiple pregnancy, all unborn children.

**3.** Coverage for an unborn child enrolled in the show-me healthy babies program shall include all prenatal care and pregnancy-related services that benefit the health of the unborn child and that promote healthy labor, delivery, and birth. Coverage need not include services that are solely for the benefit of the pregnant mother, that are unrelated to maintaining or promoting a healthy pregnancy, and that provide no benefit to the unborn child. However, the department may include pregnancy-related assistance as defined in 42 U.S.C. 1397ll.

**4.** There shall be no waiting period before an unborn child may be enrolled in the show-me healthy babies program. In accordance with the definition of child in 42 CFR 457.10, coverage shall include the period from conception to birth. The department shall develop a presumptive eligibility procedure for enrolling an unborn child. There shall be verification of the pregnancy.

**5.** Coverage for the child shall continue for up to one year after birth, unless otherwise prohibited

by law or unless otherwise limited by the general assembly through appropriations.

6. Pregnancy-related and postpartum coverage for the mother shall begin on the day the pregnancy ends and extend through the last day of the month that includes the sixtieth day after the pregnancy ends, unless otherwise prohibited by law or unless otherwise limited by the general assembly through appropriations. The department may include pregnancy-related assistance as defined in 42 U.S.C. 1397II.

7. The department shall provide coverage for an unborn child enrolled in the show-me healthy babies program in the same manner in which the department provides coverage for the children's health insurance program (CHIP) in the county of the primary residence of the mother.

8. The department shall provide information about the show-me healthy babies program to maternity homes as defined in section 135.600, pregnancy resource centers as defined in section 135.630, and other similar agencies and programs in the state that assist unborn children and their mothers. The department shall consider allowing such agencies and programs to assist in the enrollment of unborn children in the program, and in making determinations about presumptive eligibility and verification of the pregnancy.

9. Within sixty days after the effective date of this section, the department shall submit a state plan amendment or seek any necessary waivers from the federal Department of Health and Human Services requesting approval for the show-me healthy babies program.

10. At least annually, the department shall prepare and submit a report to the governor, the speaker of the house of representatives, and the president pro tempore of the senate analyzing and projecting the cost savings and benefits, if any, to the state, counties, local communities, school districts, law enforcement agencies, correctional centers, health care providers, employers, other public and private entities, and persons by enrolling unborn children in the show-me healthy babies program. The analysis and projection of cost savings and benefits, if any, may include but need not be limited to:

(1) The higher federal matching rate for having an unborn child enrolled in the show-me healthy babies program versus the lower federal matching rate for a pregnant woman being enrolled in MO HealthNet or other federal programs;

(2) The efficacy in providing services to unborn children through managed care organizations, group or individual health insurance providers or premium assistance, or through other nontraditional arrangements of providing health care;

(3) The change in the proportion of unborn children who receive care in the first trimester of pregnancy due to a lack of waiting periods, by allowing presumptive eligibility, or by removal of other barriers, and any resulting or projected decrease in health problems and other problems for unborn children and women throughout pregnancy; at labor, delivery, and birth; and during infancy and childhood;

(4) The change in healthy behaviors by pregnant women, such as the cessation of the use of tobacco, alcohol, illicit drugs, or other harmful practices, and any resulting or projected short-term and long-term decrease in birth defects; poor motor skills; vision, speech, and hearing problems; breathing and respiratory problems; feeding and digestive problems; and other physical, mental,

educational, and behavioral problems; and

**(5) The change in infant and maternal mortality, pre-term births and low birth weight babies and any resulting or projected decrease in short-term and long-term medical and other interventions.**

**11. The show-me healthy babies program shall not be deemed an entitlement program, but instead shall be subject to a federal allotment or other federal appropriations and matching state appropriations.**

**12. Nothing in this section shall be construed as obligating the state to continue the show-me healthy babies program if the allotment or payments from the federal government end or are not sufficient for the program to operate, or if the general assembly does not appropriate funds for the program.**

**13. Nothing in this section shall be construed as expanding MO HealthNet or fulfilling a mandate imposed by the federal government on the state.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 1, Section 191.761, Line 15, by inserting after all of said line the following:

“195.070. 1. A physician, podiatrist, dentist, a registered optometrist certified to administer pharmaceutical agents as provided in section 336.220, **or an assistant physician in accordance with section 334.037** or a physician assistant in accordance with section 334.747 in good faith and in the course of his or her professional practice only, may prescribe, administer, and dispense controlled substances or he or she may cause the same to be administered or dispensed by an individual as authorized by statute.

2. An advanced practice registered nurse, as defined in section 335.016, but not a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016, who holds a certificate of controlled substance prescriptive authority from the board of nursing under section 335.019 and who is delegated the authority to prescribe controlled substances under a collaborative practice arrangement under section 334.104 may prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017. However, no such certified advanced practice registered nurse shall prescribe controlled substance for his or her own self or family. Schedule III narcotic controlled substance prescriptions shall be limited to a one hundred twenty-hour supply without refill.

3. A veterinarian, in good faith and in the course of the veterinarian’s professional practice only, and not for use by a human being, may prescribe, administer, and dispense controlled substances and the veterinarian may cause them to be administered by an assistant or orderly under his or her direction and supervision.

4. A practitioner shall not accept any portion of a controlled substance unused by a patient, for any reason, if such practitioner did not originally dispense the drug.

5. An individual practitioner shall not prescribe or dispense a controlled substance for such practitioner’s personal use except in a medical emergency.”; and

Further amend said bill, Page 2, Section 197.168, Line 9, by inserting after all of said line the following:

“334.035. **Except as otherwise provided in section 334.036**, every applicant for a permanent license as a physician and surgeon shall provide the board with satisfactory evidence of having successfully completed such postgraduate training in hospitals or medical or osteopathic colleges as the board may prescribe by rule.

**334.036. 1. For purposes of this section, the following terms shall mean:**

**(1) “Assistant physician”, any medical school graduate who:**

**(a) Is a resident and citizen of the United States or is a legal resident alien;**

**(b) Has successfully completed Step 1 and Step 2 of the United States Medical Licensing Examination or the equivalent of such steps of any other board-approved medical licensing examination within the two-year period immediately preceding application for licensure as an assistant physician, but in no event more than three years after graduation from a medical college or osteopathic medical college;**

**(c) Has not completed an approved postgraduate residency and has successfully completed Step 2 of the United States Medical Licensing Examination or the equivalent of such step of any other board-approved medical licensing examination within the immediately preceding two-year period unless when such two-year anniversary occurs he or she was serving as a resident physician in an accredited residency in the United States and continued to do so within thirty days prior to application for licensure as an assistant physician; and**

**(d) Has proficiency in the English language;**

**(2) “Assistant physician collaborative practice arrangement”, an agreement between a physician and an assistant physician that meets the requirements of this section and section 334.037;**

**(3) “Medical school graduate”, any person who has graduated from a medical college or osteopathic medical college described in section 334.031.**

**2. (1) An assistant physician collaborative practice arrangement shall limit the assistant physician to providing only primary care services and only in medically underserved rural or urban areas of this state or in any pilot project areas established in which assistant physicians may practice.**

**(2) For a physician-assistant physician team working in a rural health clinic under the federal Rural Health Clinic Services Act, P.L. 95-210, as amended:**

**(a) An assistant physician shall be considered a physician assistant for purposes of regulations of the Centers for Medicare and Medicaid Services (CMS); and**

**(b) No supervision requirements in addition to the minimum federal law shall be required.**

**3. (1) For purposes of this section, the licensure of assistant physicians shall take place within processes established by rules of the state board of registration for the healing arts. The board of healing arts is authorized to establish rules under chapter 536 establishing licensure and renewal procedures, supervision, collaborative practice arrangements, fees, and addressing such other matters as are necessary to protect the public and discipline the profession. An application for licensure may be denied or the licensure of an assistant physician may be suspended or revoked by the board in the same manner and for violation of the standards as set forth by section 334.100, or such other**



standards of conduct set by the board by rule.

(2) Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.

4. An assistant physician shall clearly identify himself or herself as an assistant physician and shall be permitted to use the terms “doctor”, “Dr.”, or “doc”. No assistant physician shall practice or attempt to practice without an assistant physician collaborative practice arrangement, except as otherwise provided in this section and in an emergency situation.

5. The collaborating physician is responsible at all times for the oversight of the activities of and accepts responsibility for primary care services rendered by the assistant physician.

6. The provisions of section 334.037 shall apply to all assistant physician collaborative practice arrangements. To be eligible to practice as an assistant physician, a licensed assistant physician shall enter into an assistant physician collaborative practice arrangement within six months of his or her initial licensure and shall not have more than a six-month time period between collaborative practice arrangements during his or her licensure period. Any renewal of licensure under this section shall include verification of actual practice under a collaborative practice arrangement in accordance with this subsection during the immediately preceding licensure period.

**334.037. 1.** A physician may enter into collaborative practice arrangements with assistant physicians. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to an assistant physician the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the assistant physician and is consistent with that assistant physician’s skill, training, and competence and the skill and training of the collaborating physician.

**2.** The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the assistant physician;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the assistant physician to prescribe;

(3) A requirement that there shall be posted at every office where the assistant physician is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an assistant physician and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the assistant physician;

**(5) The manner of collaboration between the collaborating physician and the assistant physician, including how the collaborating physician and the assistant physician shall:**

**(a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;**

**(b) Maintain geographic proximity; except, the collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-210, as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. Such exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics if the provider is a critical access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based rural health clinics if the main location of the hospital sponsor is greater than fifty miles from the clinic. The collaborating physician shall maintain documentation related to such requirement and present it to the state board of registration for the healing arts when requested; and**

**(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;**

**(6) A description of the assistant physician's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the assistant physician to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;**

**(7) A list of all other written practice agreements of the collaborating physician and the assistant physician;**

**(8) The duration of the written practice agreement between the collaborating physician and the assistant physician;**

**(9) A description of the time and manner of the collaborating physician's review of the assistant physician's delivery of health care services. The description shall include provisions that the assistant physician shall submit a minimum of ten percent of the charts documenting the assistant physician's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days; and**

**(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the assistant physician prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.**

**3. The state board of registration for the healing arts under section 334.125 shall promulgate rules regulating the use of collaborative practice arrangements for assistant physicians. Such rules shall specify:**

**(1) Geographic areas to be covered;**

**(2) The methods of treatment that may be covered by collaborative practice arrangements;**

**(3) In conjunction with deans of medical schools and primary care residency program directors in the state, the development and implementation of educational methods and programs undertaken during the collaborative practice service which shall facilitate the advancement of the assistant physician's medical knowledge and capabilities, and which may lead to credit toward a future residency program for programs that deem such documented educational achievements acceptable; and**

**(4) The requirements for review of services provided under collaborative practice arrangements, including delegating authority to prescribe controlled substances.**

**Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. The state board of registration for the healing arts shall promulgate rules applicable to assistant physicians that shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.**

**4. The state board of registration for the healing arts shall not deny, revoke, suspend, or otherwise take disciplinary action against a collaborating physician for health care services delegated to an assistant physician provided the provisions of this section and the rules promulgated thereunder are satisfied.**

**5. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice arrangement, including collaborative practice arrangements delegating the authority to prescribe controlled substances, and also report to the board the name of each assistant physician with whom the physician has entered into such arrangement. The board may make such information available to the public. The board shall track the reported information and may routinely conduct random reviews of such arrangements to ensure that arrangements are carried out for compliance under this chapter.**

**6. A collaborating physician shall not enter into a collaborative practice arrangement with more than three full-time equivalent assistant physicians. Such limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.**

**7. The collaborating physician shall determine and document the completion of at least a one-month period of time during which the assistant physician shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. Such limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.**

**8. No agreement made under this section shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering**

inpatient or emergency care within a hospital as defined in section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

9. No contract or other agreement shall require a physician to act as a collaborating physician for an assistant physician against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular assistant physician. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any assistant physician, but such requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by a hospital's medical staff.

10. No contract or other agreement shall require any assistant physician to serve as a collaborating assistant physician for any collaborating physician against the assistant physician's will. An assistant physician shall have the right to refuse to collaborate, without penalty, with a particular physician.

11. All collaborating physicians and assistant physicians in collaborative practice arrangements shall wear identification badges while acting within the scope of their collaborative practice arrangement. The identification badges shall prominently display the licensure status of such collaborating physicians and assistant physicians.

12. (1) An assistant physician assistant with a certificate of controlled substance prescriptive authority as provided in this section may prescribe any controlled substance listed in schedule III, IV, or V of section 195.017 when delegated the authority to prescribe controlled substances in a collaborative practice arrangement. Such authority shall be filed with the state board of registration for the healing arts. The collaborating physician shall maintain the right to limit a specific scheduled drug or scheduled drug category that the assistant physician is permitted to prescribe. Any limitations shall be listed in the collaborative practice arrangement. Assistant physicians shall not prescribe controlled substances for themselves or members of their families. Schedule III controlled substances shall be limited to a five-day supply without refill. Assistant physicians who are authorized to prescribe controlled substances under this section shall register with the federal Drug Enforcement Administration and the state bureau of narcotics and dangerous drugs, and shall include the Drug Enforcement Administration registration number on prescriptions for controlled substances.

(2) The collaborating physician shall be responsible to determine and document the completion of at least one hundred twenty hours in a four-month period by the assistant physician during which the assistant physician shall practice with the collaborating physician on-site prior to prescribing controlled substances when the collaborating physician is not on-site. Such limitation shall not apply to assistant physicians of population-based public health services as defined in 20 CSR 2150-5.100 as of April 30, 2009.

(3) An assistant physician shall receive a certificate of controlled substance prescriptive authority from the state board of registration for the healing arts upon verification of licensure under section 334.036.

Section 1. 1. As used in this section, the following terms shall mean:

(1) “Assistant physician”, a person licensed to practice under section 334.036 in a collaborative practice arrangement under section 334.037;

(2) “Department”, the department of health and senior services;

(3) “Medically underserved area”:

(a) An area in this state with a medically underserved population;

(b) An area in this state designated by the United States secretary of health and human services as an area with a shortage of personal health services;

(c) A population group designated by the United States secretary of health and human services as having a shortage of personal health services;

(d) An area designated under state or federal law as a medically underserved community; or

(e) An area that the department considers to be medically underserved based on relevant demographic, geographic, and environmental factors;

(4) “Primary care”, physician services in family practice, general practice, internal medicine, pediatrics, obstetrics, or gynecology;

(5) “Start-up money”, a payment made by a county or municipality in this state which includes a medically underserved area for reasonable costs incurred for the establishment of a medical clinic, ancillary facilities for diagnosing and treating patients, and payment of physicians, assistant physicians, and any support staff.

2. (1) The department shall establish and administer a program under this section to increase the number of medical clinics in medically underserved areas. A county or municipality in this state that includes a medically underserved area may establish a medical clinic in the medically underserved area by contributing start-up money for the medical clinic and having such contribution matched wholly or partly by grant moneys from the medical clinics in medically underserved areas fund established in subsection 3 of this section. The department shall seek all available moneys from any source whatsoever, including, but not limited to, moneys from the Missouri Foundation for Health to assist in funding the program.

(2) A participating county or municipality that includes a medically underserved area may provide start-up money for a medical clinic over a two-year period. The department shall not provide more than one hundred thousand dollars to such county or municipality in a fiscal year unless the department makes a specific finding of need in the medically underserved area.

(3) The department shall establish priorities so that the counties or municipalities which include the neediest medically underserved areas eligible for assistance under this section are assured the receipt of a grant.

3. (1) There is hereby created in the state treasury the “Medical Clinics in Medically Underserved Areas Fund”, which shall consist of any state moneys appropriated, gifts, grants, donations, or any other contribution from any source for such purpose. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely

for the administration of this section.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. To be eligible to receive a matching grant from the department, a county or municipality that includes a medically underserved area shall:

(1) Apply for the matching grant; and

(2) Provide evidence satisfactory to the department that it has entered into an agreement or combination of agreements with a collaborating physician or physicians for the collaborating physician or physicians and assistant physician or assistant physicians in accordance with a collaborative practice arrangement under section 334.037 to provide primary care in the medically underserved area for at least two years.

5. The department shall promulgate rules necessary for the implementation of this section, including rules addressing:

(1) Eligibility criteria for a medically underserved area;

(2) A requirement that a medical clinic utilize an assistant physician in a collaborative practice arrangement under section 334.037;

(3) Minimum and maximum county or municipality contributions to the start-up money for a medical clinic to be matched with grant moneys from the state;

(4) Conditions under which grant moneys shall be repaid by a county or municipality for failure to comply with the requirements for receipt of such grant moneys;

(5) Procedures for disbursement of grant moneys by the department;

(6) The form and manner in which a county or municipality shall make its contribution to the start-up money; and

(7) Requirements for the county or municipality to retain interest in any property, equipment, or durable goods for seven years including, but not limited to, the criteria for a county or municipality to be excused from such retention requirement.”; and

Further amend said title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 2, Section 197.168, Line 9, by inserting after all of said section and line the following:

“630.167. 1. Upon receipt of a report, the department or the department of health and senior services, if such facility or program is licensed pursuant to chapter 197, shall initiate an investigation within twenty-four hours. **The department, or the department of health and senior services if such facility or program is licensed under chapter 197, shall complete all investigations within sixty days, unless good**

**cause for the failure to complete the investigation is documented.**

2. If the investigation indicates possible abuse or neglect of a patient, resident or client, the investigator shall refer the complaint together with the investigator's report to the department director for appropriate action. If, during the investigation or at its completion, the department has reasonable cause to believe that immediate removal from a facility not operated or funded by the department is necessary to protect the residents from abuse or neglect, the department or the local prosecuting attorney may, or the attorney general upon request of the department shall, file a petition for temporary care and protection of the residents in a circuit court of competent jurisdiction. The circuit court in which the petition is filed shall have equitable jurisdiction to issue an ex parte order granting the department authority for the temporary care and protection of the resident for a period not to exceed thirty days.

3. (1) Except as otherwise provided in this section, reports referred to in section 630.165 and the investigative reports referred to in this section shall be confidential, shall not be deemed a public record, and shall not be subject to the provisions of section 109.180 or chapter 610. Investigative reports pertaining to abuse and neglect shall remain confidential until a final report is complete, subject to the conditions contained in this section. Final reports of substantiated abuse or neglect issued on or after August 28, 2007, are open and shall be available for release in accordance with chapter 610. The names and all other identifying information in such final substantiated reports, including diagnosis and treatment information about the patient, resident, or client who is the subject of such report, shall be confidential and may only be released to the patient, resident, or client who has not been adjudged incapacitated under chapter 475, the custodial parent or guardian parent, or other guardian of the patient, resident or client. The names and other descriptive information of the complainant, witnesses, or other persons for whom findings are not made against in the final substantiated report shall be confidential and not deemed a public record. Final reports of unsubstantiated allegations of abuse and neglect shall remain closed records and shall only be released to the parents or other guardian of the patient, resident, or client who is the subject of such report, patient, resident, or client and the department vendor, provider, agent, or facility where the patient, resident, or client was receiving department services at the time of the unsubstantiated allegations of abuse and neglect, but the names and any other descriptive information of the complainant or any other person mentioned in the reports shall not be disclosed unless such complainant or person specifically consents to such disclosure. Requests for final reports of substantiated or unsubstantiated abuse or neglect from a patient, resident or client who has not been adjudged incapacitated under chapter 475 may be denied or withheld if the director of the department or his or her designee determines that such release would jeopardize the person's therapeutic care, treatment, habilitation, or rehabilitation, or the safety of others and provided that the reasons for such denial or withholding are submitted in writing to the patient, resident or client who has not been adjudged incapacitated under chapter 475. All reports referred to in this section shall be admissible in any judicial proceedings or hearing in accordance with section 621.075 or any administrative hearing before the director of the department of mental health, or the director's designee. All such reports may be disclosed by the department of mental health to law enforcement officers and public health officers, but only to the extent necessary to carry out the responsibilities of their offices, and to the department of social services, and the department of health and senior services, and to boards appointed pursuant to sections 205.968 to 205.990 that are providing services to the patient, resident or client as necessary to report or have investigated abuse, neglect, or rights violations of patients, residents or clients provided that all such law enforcement officers, public health officers, department of social services' officers, department of health and senior services' officers, and boards shall be obligated to keep such

information confidential.

(2) Except as otherwise provided in this section, the proceedings, findings, deliberations, reports and minutes of committees of health care professionals as defined in section 537.035 or mental health professionals as defined in section 632.005 who have the responsibility to evaluate, maintain, or monitor the quality and utilization of mental health services are privileged and shall not be subject to the discovery, subpoena or other means of legal compulsion for their release to any person or entity or be admissible into evidence into any judicial or administrative action for failure to provide adequate or appropriate care. Such committees may exist, either within department facilities or its agents, contractors, or vendors, as applicable. Except as otherwise provided in this section, no person who was in attendance at any investigation or committee proceeding shall be permitted or required to disclose any information acquired in connection with or in the course of such proceeding or to disclose any opinion, recommendation or evaluation of the committee or board or any member thereof; provided, however, that information otherwise discoverable or admissible from original sources is not to be construed as immune from discovery or use in any proceeding merely because it was presented during proceedings before any committee or in the course of any investigation, nor is any member, employee or agent of such committee or other person appearing before it to be prevented from testifying as to matters within their personal knowledge and in accordance with the other provisions of this section, but such witness cannot be questioned about the testimony or other proceedings before any investigation or before any committee.

(3) Nothing in this section shall limit authority otherwise provided by law of a health care licensing board of the state of Missouri to obtain information by subpoena or other authorized process from investigation committees or to require disclosure of otherwise confidential information relating to matters and investigations within the jurisdiction of such health care licensing boards; provided, however, that such information, once obtained by such board and associated persons, shall be governed in accordance with the provisions of this subsection.

(4) Nothing in this section shall limit authority otherwise provided by law in subdivisions (5) and (6) of subsection 2 of section 630.140 concerning access to records by the entity or agency authorized to implement a system to protect and advocate the rights of persons with developmental disabilities under the provisions of 42 U.S.C. Sections 15042 to 15044 and the entity or agency authorized to implement a system to protect and advocate the rights of persons with mental illness under the provisions of 42 U.S.C. 10801. In addition, nothing in this section shall serve to negate assurances that have been given by the governor of Missouri to the U.S. Administration on Developmental Disabilities, Office of Human Development Services, Department of Health and Human Services concerning access to records by the agency designated as the protection and advocacy system for the state of Missouri. However, such information, once obtained by such entity or agency, shall be governed in accordance with the provisions of this subsection.

4. [Anyone] **Any person** who makes a report pursuant to this section or who testifies in any administrative or judicial proceeding arising from the report shall be immune from any civil liability for making such a report or for testifying unless such person acted in bad faith or with malicious purpose.

5. (1) Within five working days after a report required to be made pursuant to this section is received, the person making the report shall be notified in writing of its receipt and of the initiation of the investigation.

(2) **For investigations alleging neglect of a patient, resident, or client, the guardian or family of**



such patient, resident, or client shall be:

(a) Interviewed during the investigation;

(b) Within five working days of the completion of the investigation and decision of the department or the department of health and senior services:

a. Notified of the result of the investigation and decision of the department or the department of health and senior services; and

b. If the report is found to be unsubstantiated and no person will be placed on the disqualification registry, notified of the guardian's or family's right to appeal the department or the department of health and senior services' decision.

6. No person who directs or exercises any authority in a residential facility, day program or specialized service shall evict, harass, dismiss or retaliate against a patient, resident or client or employee because he or she or any member of his or her family has made a report of any violation or suspected violation of laws, ordinances or regulations applying to the facility which he or she has reasonable cause to believe has been committed or has occurred.

7. Any person who is discharged as a result of an administrative substantiation of allegations contained in a report of abuse or neglect may, after exhausting administrative remedies as provided in chapter 36, appeal such decision to the circuit court of the county in which such person resides within ninety days of such final administrative decision. The court may accept an appeal up to twenty-four months after the party filing the appeal received notice of the department's determination, upon a showing that:

(1) Good cause exists for the untimely commencement of the request for the review;

(2) If the opportunity to appeal is not granted it will adversely affect the party's opportunity for employment; and

(3) There is no other adequate remedy at law.

**Section 1. 1. The department of mental health shall develop guidelines for the screening and assessment of persons receiving services from the department or its contracted, licensed, certified, or funded providers that address the interaction between physical and mental health to ensure that all potential causes of changes in behavior or mental status caused by or associated with a medical condition are assessed. Such guidelines shall be issued by the department to its contracted, licensed, certified, and funded providers.**

**2. The department of mental health shall develop training that addresses appropriate assessment of behavior or mental status changes in persons receiving services from the department or its contracted, licensed, certified, or funded providers. Such training shall be made available by the department to its contracted, licensed, certified, or funded providers.**

**3. The provisions of this section shall not apply to long-term care facilities licensed under chapter 198 or hospitals licensed under chapter 197.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 2,

Section 197.168, Line 9, by inserting after all of said section and line the following:

“338.010. 1. The “practice of pharmacy” means the interpretation, implementation, and evaluation of medical prescription orders, including any legend drugs under 21 U.S.C. Section 353; receipt, transmission, or handling of such orders or facilitating the dispensing of such orders; the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by the prescription order so long as the prescription order is specific to each patient for care by a pharmacist; the compounding, dispensing, labeling, and administration of drugs and devices pursuant to medical prescription orders and administration of viral influenza, pneumonia, shingles, **hepatitis A, hepatitis B, diphtheria, tetanus, pertussis**, and meningitis vaccines by written protocol authorized by a physician for persons twelve years of age or older as authorized by rule or the administration of pneumonia, shingles, **hepatitis A, hepatitis B, diphtheria, tetanus, pertussis**, and meningitis vaccines by written protocol authorized by a physician for a specific patient as authorized by rule; the participation in drug selection according to state law and participation in drug utilization reviews; the proper and safe storage of drugs and devices and the maintenance of proper records thereof; consultation with patients and other health care practitioners, and veterinarians and their clients about legend drugs, about the safe and effective use of drugs and devices; and the offering or performing of those acts, services, operations, or transactions necessary in the conduct, operation, management and control of a pharmacy. No person shall engage in the practice of pharmacy unless he is licensed under the provisions of this chapter. This chapter shall not be construed to prohibit the use of auxiliary personnel under the direct supervision of a pharmacist from assisting the pharmacist in any of his or her duties. This assistance in no way is intended to relieve the pharmacist from his or her responsibilities for compliance with this chapter and he or she will be responsible for the actions of the auxiliary personnel acting in his or her assistance. This chapter shall also not be construed to prohibit or interfere with any legally registered practitioner of medicine, dentistry, or podiatry, or veterinary medicine only for use in animals, or the practice of optometry in accordance with and as provided in sections 195.070 and 336.220 in the compounding, administering, prescribing, or dispensing of his or her own prescriptions.

2. Any pharmacist who accepts a prescription order for a medication therapeutic plan shall have a written protocol from the physician who refers the patient for medication therapy services. The written protocol and the prescription order for a medication therapeutic plan shall come from the physician only, and shall not come from a nurse engaged in a collaborative practice arrangement under section 334.104, or from a physician assistant engaged in a supervision agreement under section 334.735.

3. Nothing in this section shall be construed as to prevent any person, firm or corporation from owning a pharmacy regulated by sections 338.210 to 338.315, provided that a licensed pharmacist is in charge of such pharmacy.

4. Nothing in this section shall be construed to apply to or interfere with the sale of nonprescription drugs and the ordinary household remedies and such drugs or medicines as are normally sold by those engaged in the sale of general merchandise.

5. No health carrier as defined in chapter 376 shall require any physician with which they contract to enter into a written protocol with a pharmacist for medication therapeutic services.

6. This section shall not be construed to allow a pharmacist to diagnose or independently prescribe pharmaceuticals.

7. The state board of registration for the healing arts, under section 334.125, and the state board of

pharmacy, under section 338.140, shall jointly promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Such rules shall require protocols to include provisions allowing for timely communication between the pharmacist and the referring physician, and any other patient protection provisions deemed appropriate by both boards. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither board shall separately promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

8. The state board of pharmacy may grant a certificate of medication therapeutic plan authority to a licensed pharmacist who submits proof of successful completion of a board-approved course of academic clinical study beyond a bachelor of science in pharmacy, including but not limited to clinical assessment skills, from a nationally accredited college or university, or a certification of equivalence issued by a nationally recognized professional organization and approved by the board of pharmacy.

9. Any pharmacist who has received a certificate of medication therapeutic plan authority may engage in the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by a prescription order from a physician that is specific to each patient for care by a pharmacist.

10. Nothing in this section shall be construed to allow a pharmacist to make a therapeutic substitution of a pharmaceutical prescribed by a physician unless authorized by the written protocol or the physician's prescription order.

11. "Veterinarian", "doctor of veterinary medicine", "practitioner of veterinary medicine", "DVM", "VMD", "BVSe", "BVMS", "BSe (Vet Science)", "VMB", "MRCVS", or an equivalent title means a person who has received a doctor's degree in veterinary medicine from an accredited school of veterinary medicine or holds an Educational Commission for Foreign Veterinary Graduates (EDFVG) certificate issued by the American Veterinary Medical Association (AVMA).

**12. In addition to other requirements established by the joint promulgation of rules by the board of pharmacy and the state board of registration for the healing arts:**

**(1) A pharmacist shall administer vaccines in accordance with treatment guidelines established by the Centers for Disease Control and Prevention (CDC);**

**(2) A pharmacist who is administering a vaccine shall request a patient to remain in the pharmacy a safe amount of time after administering the vaccine to observe any adverse reactions. Such pharmacist shall have adopted emergency treatment protocols;**

**(3) In addition to other requirements by the board, a pharmacist shall receive additional training as required by the board and evidenced by receiving a certificate from the board upon completion, and shall display the certification in his or her pharmacy where vaccines are delivered.**

**13. A pharmacist shall provide a written report within fourteen days of administration of a**

**vaccine to the patient’s primary health care provider, if provided by the patient, containing:**

- (1) The identity of the patient;**
- (2) The identity of the vaccine or vaccines administered;**
- (3) The route of administration;**
- (4) The anatomic site of the administration;**
- (5) The dose administered; and**
- (6) The date of administration.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 2, Line 37 by inserting after “**decedent.**” on said line the following:

**“(8) Providers who assert liens on patient claims waive any claim of sovereign immunity related to actions associated with said liens.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called “providers”, shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his or her record of that patient’s health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient’s condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a fee as provided in this section.

2. Health care providers may condition the furnishing of the patient’s health care records to the patient, the patient’s authorized representative or any other person or entity authorized by law to obtain or reproduce such records upon payment of a fee for:

(1) (a) Search and retrieval, in an amount not more than [twenty-two] **twenty-three** dollars and [eighty-two] **thirty-eight** cents plus copying in the amount of [fifty-three] **fifty-four** cents per page for the cost of supplies and labor plus, if the health care provider has contracted for off-site records storage and management, any additional labor costs of outside storage retrieval, not to exceed twenty-one dollars and [thirty-six] **eighty-nine** cents, as adjusted annually pursuant to subsection 5 of this section; or

(b) The records shall be furnished electronically upon payment of the search, retrieval, and copying fees set under this section at the time of the request or one hundred **two** dollars **and forty-six cents** total, whichever is less, if such person:

- a. Requests health records to be delivered electronically in a format of the health care provider's choice;
- b. The health care provider stores such records completely in an electronic health record; and
- c. The health care provider is capable of providing the requested records and affidavit, if requested, in an electronic format;

(2) Postage, to include packaging and delivery cost; and

(3) Notary fee, not to exceed two dollars, if requested.

3. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of health care record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

4. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section.

5. Effective February first of each year, the fees listed in subsection 2 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall report the annual adjustment and the adjusted fees authorized in this section on the department's internet website by February first of each year.

**6. A health care provider may furnish a copy of a deceased patient's medical records or payment records or specific information contained in medical records or payment records to the patient's health care decision maker after the patient's death. A health care provider may also furnish a copy of a deceased patient's medical records or payment records or specific information contained in medical records or payment records to the personal representative or administrator of the estate of a deceased patient, or if a personal representative or administrator has not been appointed, to the following persons:**

**(1) The deceased patient's spouse on the affidavit of the surviving spouse that he or she is the surviving spouse;**

**(2) The acting trustee of a trust created by the deceased patient either alone or with the deceased patient's spouse;**

**(3) An adult child of the deceased patient on the affidavit of the adult child that he or she is the adult child of the deceased;**

**(4) A parent of the deceased patient on the affidavit of the parent that he or she is the parent of the deceased;**

**(5) An adult brother or sister of the deceased patient on the affidavit of the adult brother or sister that he or she is the adult brother or sister of the deceased;**

**(6) A guardian or conservator of the deceased patient at the time of the patient's death on the affidavit of the guardian or conservator that he or she is the guardian or conservator of the deceased; or**

**(7) A guardian ad litem of a decedent's minor child based on the affidavit of the guardian that he or she is the guardian ad litem of the minor child of the decedent.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 8

Amend House Amendment No. 8 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 2, Line 11, by inserting after all of said line the following:

"Further amend said bill, Page 2, Section 197.168, Line 9, by inserting immediately after said line the following:

"376.1363. 1. A health carrier shall maintain written procedures for making utilization review decisions and for notifying enrollees and providers acting on behalf of enrollees of its decisions. For purposes of this section, "enrollee" includes the representative of an enrollee.

2. For initial determinations, a health carrier shall make the determination within [two working days] **thirty-six hours, which shall include one working day**, of obtaining all necessary information regarding a proposed admission, procedure or service requiring a review determination. For purposes of this section, "necessary information" includes the results of any face-to-face clinical evaluation or second opinion that may be required:

(1) In the case of a determination to certify an admission, procedure or service, the carrier shall notify the provider rendering the service by telephone or electronically within twenty-four hours of making the initial certification, and provide written or electronic confirmation of a telephone or electronic notification to the enrollee and the provider within two working days of making the initial certification;

(2) In the case of an adverse determination, the carrier shall notify the provider rendering the service by telephone or electronically within twenty-four hours of making the adverse determination; and shall provide written or electronic confirmation of a telephone or electronic notification to the enrollee and the provider within one working day of making the adverse determination.

3. For concurrent review determinations, a health carrier shall make the determination within one working day of obtaining all necessary information:

(1) In the case of a determination to certify an extended stay or additional services, the carrier shall notify by telephone or electronically the provider rendering the service within one working day of making the certification, and provide written or electronic confirmation to the enrollee and the provider within one working day after telephone or electronic notification. The written notification shall include the number of extended days or next review date, the new total number of days or services approved, and the date of admission or initiation of services;

(2) In the case of an adverse determination, the carrier shall notify by telephone or electronically the provider rendering the service within twenty-four hours of making the adverse determination, and provide

written or electronic notification to the enrollee and the provider within one working day of a telephone or electronic notification. The service shall be continued without liability to the enrollee until the enrollee has been notified of the determination.

4. For retrospective review determinations, a health carrier shall make the determination within thirty working days of receiving all necessary information. A carrier shall provide notice in writing of the carrier's determination to an enrollee within ten working days of making the determination.

5. A written notification of an adverse determination shall include the principal reason or reasons for the determination, the instructions for initiating an appeal or reconsideration of the determination, and the instructions for requesting a written statement of the clinical rationale, including the clinical review criteria used to make the determination. A health carrier shall provide the clinical rationale in writing for an adverse determination, including the clinical review criteria used to make that determination, to any party who received notice of the adverse determination and who requests such information.

6. A health carrier shall have written procedures to address the failure or inability of a provider or an enrollee to provide all necessary information for review. In cases where the provider or an enrollee will not release necessary information, the health carrier may deny certification of an admission, procedure or service.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 2, Section 197.168, Line 9, by inserting immediately after said line the following:

“376.1363. 1. A health carrier shall maintain written procedures for making utilization review decisions and for notifying enrollees and providers acting on behalf of enrollees of its decisions. For purposes of this section, “enrollee” includes the representative of an enrollee.

2. For initial determinations, a health carrier shall make the determination within [two working days] **twenty-four hours** of obtaining all necessary information regarding a proposed admission, procedure or service requiring a review determination. For purposes of this section, “necessary information” includes the results of any face-to-face clinical evaluation or second opinion that may be required:

(1) In the case of a determination to certify an admission, procedure or service, the carrier shall notify the provider rendering the service by telephone or electronically within twenty-four hours of making the initial certification, and provide written or electronic confirmation of a telephone or electronic notification to the enrollee and the provider within two working days of making the initial certification;

(2) In the case of an adverse determination, the carrier shall notify the provider rendering the service by telephone or electronically within twenty-four hours of making the adverse determination; and shall provide written or electronic confirmation of a telephone or electronic notification to the enrollee and the provider within one working day of making the adverse determination.

3. For concurrent review determinations, a health carrier shall make the determination within one working day of obtaining all necessary information:

(1) In the case of a determination to certify an extended stay or additional services, the carrier shall

notify by telephone or electronically the provider rendering the service within one working day of making the certification, and provide written or electronic confirmation to the enrollee and the provider within one working day after telephone or electronic notification. The written notification shall include the number of extended days or next review date, the new total number of days or services approved, and the date of admission or initiation of services;

(2) In the case of an adverse determination, the carrier shall notify by telephone or electronically the provider rendering the service within twenty-four hours of making the adverse determination, and provide written or electronic notification to the enrollee and the provider within one working day of a telephone or electronic notification. The service shall be continued without liability to the enrollee until the enrollee has been notified of the determination.

4. For retrospective review determinations, a health carrier shall make the determination within thirty working days of receiving all necessary information. A carrier shall provide notice in writing of the carrier's determination to an enrollee within ten working days of making the determination.

5. A written notification of an adverse determination shall include the principal reason or reasons for the determination, the instructions for initiating an appeal or reconsideration of the determination, and the instructions for requesting a written statement of the clinical rationale, including the clinical review criteria used to make the determination. A health carrier shall provide the clinical rationale in writing for an adverse determination, including the clinical review criteria used to make that determination, to any party who received notice of the adverse determination and who requests such information.

6. A health carrier shall have written procedures to address the failure or inability of a provider or an enrollee to provide all necessary information for review. In cases where the provider or an enrollee will not release necessary information, the health carrier may deny certification of an admission, procedure or service.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 1, Section 191.761, Line 15, by inserting after all of said section and line the following:

**“192.380. 1. For purposes of this section, the following terms shall mean:**

**(1) “Department”, the department of health and senior services;**

**(2) “High-risk pregnancy”, a pregnancy in which the mother or baby is at increased risk for poor health or complications during pregnancy or childbirth;**

**(3) “Maternity center”, a comprehensive maternal and newborn service provided by a hospital or birth center for women who have been assessed as having a normal, low-risk pregnancy and having a baby which has been assessed as developing normally and without apparent complications;**

**(4) “Perinatal center”, a comprehensive maternal and newborn service for women who have been assessed as high-risk patients or are bearing high-risk babies, as determined by a standardized risk assessment tool, who will require the highest level of specialized care. Such programs may also provide services to women requiring care normally provided at Level I and II programs.**



**2. There is hereby created the “Perinatal Advisory Council” which shall be composed of representatives from the following organizations to be appointed by the governor with the advice and consent of the senate:**

- (1) One representative from the American Congress of Obstetricians and Gynecologists;**
- (2) One representative from the American Academy of Pediatrics;**
- (3) One representative from the March of Dimes;**
- (4) One representative from the National Association for Nurse Practitioners in Women’s Health;**
- (5) One representative from the American College of Nurse-Midwives;**
- (6) One representative from the Association of Women’s Health, Obstetric and Neonatal Nurses;**
- (7) One representative from the National Association of Neonatal Nurses;**
- (8) One representative from the Missouri Academy of Family Physicians;**
- (9) Two community-based providers who focus on infant mortality prevention, such as community-based maternal/child health coalitions and regional consortiums;**
- (10) Three representatives from Missouri hospitals with one representative from a hospital with perinatal care equivalent to each of the three levels;**
- (11) One representative from the Society for Maternal-Fetal Medicine; and**
- (12) One private practice physician specializing in obstetrics or gynecology.**

**3. After seeking broad public and stakeholder input, the perinatal advisory council shall make recommendations for the division of the state into neonatal and maternal care regions. The perinatal advisory council shall establish guidelines for all levels of hospital perinatal care including regional perinatal centers. Such guidelines shall recommend that:**

- (1) Facilities are equipped and prepared to stabilize neonates prior to transport;**
- (2) Coordination exists between general maternity care and perinatal centers;**
- (3) Unexpected complications during delivery can be properly managed;**
- (4) High-risk pregnancies, labors, deliveries, and childbirths are reviewed at each hospital or maternity center in collaboration with the community provider using criteria of case selection developed by such hospitals or maternity centers or the appropriate medical staff thereof in order to determine appropriateness of diagnosis and treatment;**
- (5) Procedures are implemented to confidentially identify and report to the department all high-risk birth outcomes;**
- (6) A high-risk pregnancy or baby identified as having a condition that threatens the child’s or mother’s life are promptly evaluated in consultation with designated regional perinatal centers and referred, if appropriate, to such centers or to other medical specialty services in accordance with the level of perinatal care authorized for each hospital or maternity care center for the proper management and treatment of such condition;**

**(7) Hospital or maternity care centers in collaboration with community providers conduct postnatal reviews of all maternal and infant deaths, utilizing criteria of case selection developed by such hospitals or maternity centers or the appropriate medical staff thereof in order to determine the appropriateness of diagnosis and treatment and the adequacy of procedures to prevent such loss of life;**

**(8) High-risk mothers are provided information, referral, and counseling services to ensure informed consent to the treatment of the child;**

**(9) Consultation when indicated is provided for and available. Perinatal centers shall provide care for the high-risk expectant mother who may deliver a high-risk infant. Such centers shall also provide intensive care to the high-risk newborn or mother whose life or physical well-being may be in jeopardy;**

**(10) The perinatal care system is monitored and performance evaluated;**

**(11) Any reporting required to facilitate implementation of this section shall minimize duplication; and**

**(12) Guidelines of care are established for premature infants born less than thirty-seven weeks gestational age, including recommendations to improve hospital discharge and follow-up care procedures.**

**4. The guidelines under this section shall be based upon evidence and best practices as outlined by the most current version of the “Guidelines for Perinatal Care” prepared by the American Academy of Pediatrics and the American Congress of Obstetricians and Gynecologists, any guidelines developed by the Society for Maternal-Fetal Medicine, and the geographic and varied needs of citizens of this state.**

**5. No individual or organization providing information to the department or the perinatal advisory council in accordance with this section shall be deemed to be or be held liable, either civilly or criminally, for divulging confidential information unless such individual or organization acted in bad faith or with malicious purpose.**

**6. The guidelines under this section shall be established by rules and regulations of the department no later than January 1, 2016. Such guidelines shall be deemed sufficient for the purposes of this section if they recommend the perinatal care facilities to submit plans or enter into agreements with the department that adequately address the requirements of subsection 3 of this section.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE AMENDMENT NO. 10**

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 1, Section A, Line 2, by inserting after all of said line the following:

**“191.117. 1. There is hereby established in the department of health and senior services a “Sickle Cell Standing Committee” as a subcommittee of the Missouri genetic advisory committee. The committee shall consist of the following members:**

**(1) One member who is a licensed physician with experience in the diagnosis and treatment of**

sickle cell disease and who shall serve as chair of the committee;

(2) One member who has sickle cell disease or is a family member of persons with sickle cell disease;

(3) One member with expertise in sickle cell disease research;

(4) One member from a leading sickle cell disease organization;

(5) One member with expertise in minority health; and

(6) One member from each of the hemoglobinopathy centers which contracts with the department.

2. The members of the committee shall be appointed by the director of the department of health and senior services. Members shall serve on the committee without compensation or reimbursement for expenses incurred.

3. The committee shall:

(1) Assess the impact of sickle cell disease on urban communities in the state of Missouri;

(2) Examine the existing services and resources addressing the needs of persons with sickle cell disease; and

(3) Develop recommendations to provide educational services to schools on the traits of sickle cell disease and their effects.

4. The committee shall include an examination of the following in its assessment and recommendations required to be completed under subsection 3 of this section:

(1) Trends in state sickle cell disease populations and their needs, including but not limited to the state's role in providing assistance;

(2) Existing services and resources;

(3) Needed state policies or responses, including but not limited to directions for the provision of clear and coordinated services and supports to persons living with sickle cell disease and strategies to address any identified gaps in services; and

(4) Replacing the genetic testing and counseling program eliminated due to lack of funding. The program was an hour-long workshop provided to schools on the traits of sickle cell disease and the effects of such traits.

5. The committee shall hold a minimum of one meeting at three urban regions in the state of Missouri to seek public input.

6. The committee shall submit a report of its findings and any recommendations to the general assembly and the governor no later than December 31, 2015.

7. After December 31, 2015, the committee shall continue to meet at the request of the chair and at a minimum of one time annually for the purpose of continuing the study of sickle cell disease in this state, the impact of the committee recommendations, and to provide an annual supplemental report on the findings to the governor and the general assembly.”; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 2, Section 197.168, Line 9, by inserting after all of said line the following:

“334.735. 1. As used in sections 334.735 to 334.749, the following terms mean:

- (1) “Applicant”, any individual who seeks to become licensed as a physician assistant;
- (2) “Certification” or “registration”, a process by a certifying entity that grants recognition to applicants meeting predetermined qualifications specified by such certifying entity;
- (3) “Certifying entity”, the nongovernmental agency or association which certifies or registers individuals who have completed academic and training requirements;
- (4) “Department”, the department of insurance, financial institutions and professional registration or a designated agency thereof;
- (5) “License”, a document issued to an applicant by the board acknowledging that the applicant is entitled to practice as a physician assistant;
- (6) “Physician assistant”, a person who has graduated from a physician assistant program accredited by the American Medical Association’s Committee on Allied Health Education and Accreditation or by its successor agency, who has passed the certifying examination administered by the National Commission on Certification of Physician Assistants and has active certification by the National Commission on Certification of Physician Assistants who provides health care services delegated by a licensed physician. A person who has been employed as a physician assistant for three years prior to August 28, 1989, who has passed the National Commission on Certification of Physician Assistants examination, and has active certification of the National Commission on Certification of Physician Assistants;
- (7) “Recognition”, the formal process of becoming a certifying entity as required by the provisions of sections 334.735 to 334.749;
- (8) “Supervision”, control exercised over a physician assistant working with a supervising physician and oversight of the activities of and accepting responsibility for the physician assistant’s delivery of care. The physician assistant shall only practice at a location where the physician routinely provides patient care, except existing patients of the supervising physician in the patient’s home and correctional facilities. The supervising physician must be immediately available in person or via telecommunication during the time the physician assistant is providing patient care. Prior to commencing practice, the supervising physician and physician assistant shall attest on a form provided by the board that the physician shall provide supervision appropriate to the physician assistant’s training and that the physician assistant shall not practice beyond the physician assistant’s training and experience. Appropriate supervision shall require the supervising physician to be working within the same facility as the physician assistant for at least four hours within one calendar day for every fourteen days on which the physician assistant provides patient care as described in subsection 3 of this section. Only days in which the physician assistant provides patient care as described in subsection 3 of this section shall be counted toward the fourteen-day period. The requirement of appropriate supervision shall be applied so that no more than thirteen calendar days in which a physician assistant provides patient care shall pass between the physician’s four hours working within the

same facility. The board shall promulgate rules pursuant to chapter 536 for documentation of joint review of the physician assistant activity by the supervising physician and the physician assistant.

2. (1) A supervision agreement shall limit the physician assistant to practice only at locations described in subdivision (8) of subsection 1 of this section, where the supervising physician is no further than fifty miles by road using the most direct route available and where the location is not so situated as to create an impediment to effective intervention and supervision of patient care or adequate review of services.

(2) For a physician-physician assistant team working in a rural health clinic under the federal Rural Health Clinic Services Act, P.L. 95-210, as amended, no supervision requirements in addition to the minimum federal law shall be required.

3. The scope of practice of a physician assistant shall consist only of the following services and procedures:

(1) Taking patient histories;

(2) Performing physical examinations of a patient;

(3) Performing or assisting in the performance of routine office laboratory and patient screening procedures;

(4) Performing routine therapeutic procedures;

(5) Recording diagnostic impressions and evaluating situations calling for attention of a physician to institute treatment procedures;

(6) Instructing and counseling patients regarding mental and physical health using procedures reviewed and approved by a licensed physician;

(7) Assisting the supervising physician in institutional settings, including reviewing of treatment plans, ordering of tests and diagnostic laboratory and radiological services, and ordering of therapies, using procedures reviewed and approved by a licensed physician;

(8) Assisting in surgery;

(9) Performing such other tasks not prohibited by law under the supervision of a licensed physician as the physician's assistant has been trained and is proficient to perform; and

(10) Physician assistants shall not perform or prescribe abortions.

4. Physician assistants shall not prescribe nor dispense any drug, medicine, device or therapy unless pursuant to a physician supervision agreement in accordance with the law, nor prescribe lenses, prisms or contact lenses for the aid, relief or correction of vision or the measurement of visual power or visual efficiency of the human eye, nor administer or monitor general or regional block anesthesia during diagnostic tests, surgery or obstetric procedures. Prescribing and dispensing of drugs, medications, devices or therapies by a physician assistant shall be pursuant to a physician assistant supervision agreement which is specific to the clinical conditions treated by the supervising physician and the physician assistant shall be subject to the following:

(1) A physician assistant shall only prescribe controlled substances in accordance with section 334.747;

(2) The types of drugs, medications, devices or therapies prescribed or dispensed by a physician assistant

shall be consistent with the scopes of practice of the physician assistant and the supervising physician;

(3) All prescriptions shall conform with state and federal laws and regulations and shall include the name, address and telephone number of the physician assistant and the supervising physician;

(4) A physician assistant, or advanced practice registered nurse as defined in section 335.016 may request, receive and sign for noncontrolled professional samples and may distribute professional samples to patients;

(5) A physician assistant shall not prescribe any drugs, medicines, devices or therapies the supervising physician is not qualified or authorized to prescribe; and

(6) A physician assistant may only dispense starter doses of medication to cover a period of time for seventy-two hours or less.

5. A physician assistant shall clearly identify himself or herself as a physician assistant and shall not use or permit to be used in the physician assistant's behalf the terms "doctor", "Dr." or "doc" nor hold himself or herself out in any way to be a physician or surgeon. No physician assistant shall practice or attempt to practice without physician supervision or in any location where the supervising physician is not immediately available for consultation, assistance and intervention, except as otherwise provided in this section, and in an emergency situation, nor shall any physician assistant bill a patient independently or directly for any services or procedure by the physician assistant; **except that, nothing in this subsection shall be construed to prohibit a physician assistant from enrolling with the department of social services as a MO HealthNet provider while acting under a supervision agreement between the physician and physician assistant.**

6. For purposes of this section, the licensing of physician assistants shall take place within processes established by the state board of registration for the healing arts through rule and regulation. The board of healing arts is authorized to establish rules pursuant to chapter 536 establishing licensing and renewal procedures, supervision, supervision agreements, fees, and addressing such other matters as are necessary to protect the public and discipline the profession. An application for licensing may be denied or the license of a physician assistant may be suspended or revoked by the board in the same manner and for violation of the standards as set forth by section 334.100, or such other standards of conduct set by the board by rule or regulation. Persons licensed pursuant to the provisions of chapter 335 shall not be required to be licensed as physician assistants. All applicants for physician assistant licensure who complete a physician assistant training program after January 1, 2008, shall have a master's degree from a physician assistant program.

7. "Physician assistant supervision agreement" means a written agreement, jointly agreed-upon protocols or standing order between a supervising physician and a physician assistant, which provides for the delegation of health care services from a supervising physician to a physician assistant and the review of such services. The agreement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, telephone numbers, and state license numbers of the supervising physician and the physician assistant;

(2) A list of all offices or locations where the physician routinely provides patient care, and in which of such offices or locations the supervising physician has authorized the physician assistant to practice;

(3) All specialty or board certifications of the supervising physician;

(4) The manner of supervision between the supervising physician and the physician assistant, including how the supervising physician and the physician assistant shall:

(a) Attest on a form provided by the board that the physician shall provide supervision appropriate to the physician assistant's training and experience and that the physician assistant shall not practice beyond the scope of the physician assistant's training and experience nor the supervising physician's capabilities and training; and

(b) Provide coverage during absence, incapacity, infirmity, or emergency by the supervising physician;

(5) The duration of the supervision agreement between the supervising physician and physician assistant; and

(6) A description of the time and manner of the supervising physician's review of the physician assistant's delivery of health care services. Such description shall include provisions that the supervising physician, or a designated supervising physician listed in the supervision agreement review a minimum of ten percent of the charts of the physician assistant's delivery of health care services every fourteen days.

8. When a physician assistant supervision agreement is utilized to provide health care services for conditions other than acute self-limited or well-defined problems, the supervising physician or other physician designated in the supervision agreement shall see the patient for evaluation and approve or formulate the plan of treatment for new or significantly changed conditions as soon as practical, but in no case more than two weeks after the patient has been seen by the physician assistant.

9. At all times the physician is responsible for the oversight of the activities of, and accepts responsibility for, health care services rendered by the physician assistant.

10. It is the responsibility of the supervising physician to determine and document the completion of at least a one-month period of time during which the licensed physician assistant shall practice with a supervising physician continuously present before practicing in a setting where a supervising physician is not continuously present.

11. No contract or other agreement shall require a physician to act as a supervising physician for a physician assistant against the physician's will. A physician shall have the right to refuse to act as a supervising physician, without penalty, for a particular physician assistant. No contract or other agreement shall limit the supervising physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any physician assistant, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by the hospital's medical staff.

12. Physician assistants shall file with the board a copy of their supervising physician form.

13. No physician shall be designated to serve as supervising physician for more than three full-time equivalent licensed physician assistants. This limitation shall not apply to physician assistant agreements of hospital employees providing inpatient care service in hospitals as defined in chapter 197."; and

Further amend said title, enacting clause and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

On motion of Senator Richard, the Senate recessed until 6:10 p.m.

**RECESS**

The time of recess having expired, the Senate was called to order by President Pro Tem Dempsey.

**MESSAGES FROM THE HOUSE**

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 672**, entitled:

An Act to repeal sections 37.020, 49.266, 56.010, 56.060, 56.067, 56.265, 56.363, 56.800, 56.805, 56.807, 56.811, 56.816, 56.827, 56.833, 56.840, 67.281, 77.030, 79.050, 79.130, 105.684, 105.687, 105.688, 105.690, 192.310, 321.130, 321.210, 321.322, 408.040, 488.026, 488.305, 525.040, 525.070, 525.080, 525.230, 525.310, and 578.120, RSMo, and to enact in lieu thereof forty-five new sections relating to political subdivisions.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, House Amendment No. 1 to House Amendment No. 17, and House Amendment No. 17, as amended.

**HOUSE AMENDMENT NO. 1**

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 3, Section 37.020, Lines 75 through 77, by deleting all of said lines; and

Further amend said bill, Page 6, Section 56.265, Lines 27 through 28, by deleting the words, “**subdivisions (2) or (3)**” and inserting in lieu thereof the words, “**subdivision (1) or (2)**”; and

Further amend said bill and section, Page 7, Line 45, by deleting all of said line and inserting in lieu thereof the following:

“compensated pursuant to subdivision (1) **or (2)** of subsection 1 of this section.”; and

Further amend said bill, Section 56.363, Page 8, Line 37, by deleting the number “**4**” and inserting in lieu thereof the number, “**5**”; and

Further amend said bill, page, and section, Line 64, by deleting the number “**4**” and inserting in lieu thereof the number, “**5**”; and

Further amend said bill, page, and section, Line 68, by deleting the number “**4**” and inserting in lieu thereof the number, “**5**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE AMENDMENT NO. 2**

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 22, Section 135.980, Line 13, by inserting after all of said section and line the following:

“160.522. 1. The department of elementary and secondary education shall produce or cause to be produced, at least annually, a school accountability report card for each public school district, each public school building in a school district, and each charter school in the state. The report card shall be designed to satisfy state and federal requirements for the disclosure of statistics about students, staff, finances, academic achievement, and other indicators. The purpose of the report card shall be to provide educational



statistics and accountability information for parents, taxpayers, school personnel, legislators, and the print and broadcast news media in a standardized, easily accessible form.

2. The department of elementary and secondary education shall develop a standard form for the school accountability report card. The information reported shall include, but not be limited to, the district's most recent accreditation rating, enrollment, rates of pupil attendance, high school dropout rate and graduation rate, the number and rate of suspensions of ten days or longer and expulsions of pupils, the district ratio of students to administrators and students to classroom teachers, the average years of experience of professional staff and advanced degrees earned, student achievement as measured through the assessment system developed pursuant to section 160.518, student scores on the ACT, along with the percentage of graduates taking the test, average teachers' and administrators' salaries compared to the state averages, average per pupil current expenditures for the district as a whole and by attendance center as reported to the department of elementary and secondary education, the adjusted tax rate of the district, assessed valuation of the district, percent of the district operating budget received from state, federal, and local sources, the percent of students eligible for free or reduced-price lunch, data on the percent of students continuing their education in postsecondary programs, information about the job placement rate for students who complete district vocational education programs, whether the school district currently has a state-approved gifted education program, and the percentage and number of students who are currently being served in the district's state-approved gifted education program.

3. The report card shall permit the disclosure of data on a school-by-school basis, but the reporting shall not be personally identifiable to any student or education professional in the state.

4. The report card shall identify each school or attendance center that has been identified as a priority school under sections 160.720 and 161.092. The report also shall identify attendance centers that have been categorized under federal law as needing improvement or requiring specific school improvement strategies.

5. The report card shall not limit or discourage other methods of public reporting and accountability by local school districts. Districts shall provide information included in the report card to parents, community members, the print and broadcast news media, and legislators by December first annually or as soon thereafter as the information is available to the district, giving preference to methods that incorporate the reporting into substantive official communications such as student report cards. The school district shall provide a printed copy of the district-level or school-level report card to any patron upon request and shall make reasonable efforts to supply businesses such as, but not limited to, real estate and employment firms with copies or other information about the reports so that parents and businesses from outside the district who may be contemplating relocation have access.

**6. For purposes of completing and distributing the annual report card as prescribed in this section 160.522, a school district may include the data from a charter school located within such school district, provided the local board of education or special administrative board for such district and the charter school reach mutual agreement for the inclusion of the data from the charter schools and the terms of such agreement are approved by the state board of education. The charter school shall not be required to be a part of the local educational agency of such school district and may maintain a separate local educational agency status.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 3, Section 37.020, Lines 75 through 77, by deleting all of said lines and inserting in lieu thereof the following:

**“5. The office of administration may issue guidance or promulgate rules to require documentation to verify compliance as well as periodic reporting to ensure continued compliance with the provisions of subsection 4 of this section through the term of the contract.”; and**

Further amend said bill, Page 15, Section 67.281, Lines 11 through 12, by deleting all of said lines and inserting in lieu thereof the following:

**“two-family dwelling or townhouse. The provisions of this section shall expire on December 31, [2019] 2024.”; and**

Further amend said bill, Pages 19 to 21, Sections 105.687, 105.688 and 105.690, by removing all of said sections from the bill; and

Further amend said bill, Page 21, Section 135.980, Lines 1 through 13, by deleting all of said lines and inserting in lieu thereof the following:

**“135.980. 1. As used in this section, the following terms shall mean:**

**(1) “NAICS”, the classification provided by the most recent edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget;**

**(2) “Public financial incentive”, any economic or financial incentive offered including:**

**(a) Any tax reduction, credit, forgiveness, abatement, subsidy, or other tax-relieving measure;**

**(b) Any tax increment financing or similar financial arrangement;**

**(c) Any monetary or non-monetary benefit related to any bond, loan, or similar financial arrangement;**

**(d) Any reduction, credit, forgiveness, abatement, subsidy, or other relief related to any bond, loan, or similar financial arrangement; and**

**(e) The ability to form, own, direct, or receive any economic or financial benefit from any special taxation district.**

**2. No city not within a county shall by ballot measure impose any restriction on any public financial incentive authorized by statute for a business with a NAICS code of 221112.”; and**

Further amend said bill, Page 32, Section 578.120, Line 6 by deleting all of said line and inserting in lieu thereof the following:

**“the sale of motorcycles or all-terrain vehicles as those terms are defined in section 301.010; the sale of recreational”; and**

Further amend said bill and section, Page 33, Line 16, by inserting after all of said line and section the following:

**“[300.320. A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such other method as may**

be determined and designated by the traffic division.]”]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 22, Section 135.980, Line 13, by inserting after all of said line the following:

“177.011. 1. The title of all schoolhouse sites and other school property is vested in the district in which the property is located, or if the directors of both school districts involved agree, a school district may own property outside of the boundaries of the district and operate upon such property for school purposes; provided that, such property may only be used for school purposes for students residing in the school district owning such property or students who are enrolled in such school district as part of a court-ordered desegregation plan. All property leased or rented for school purposes shall be wholly under the control of the school board during such time. **With the exception of lease agreements entered into under the provisions of section 177.088**, no board shall lease or rent any building for school purposes while the district schoolhouse is unoccupied, and no schoolhouse or school site shall be abandoned or sold until another site and house are provided for the school district.

2. Notwithstanding the provisions of section 178.770, the provisions of this section shall not apply to community college districts. Nothing in this subsection shall be construed to impair the duty and authority of the coordinating board for higher education to approve academic programs under section 173.005.

177.088. 1. As used in this section, the following terms shall mean:

(1) “Board”, the board of education, board of trustees, board of regents, or board of governors of an educational institution;

(2) “Educational institution”, any school district, including all community college districts, and any state college or university organized under chapter 174.

2. The board of any educational institution may enter into agreements as authorized in this section [with a not-for-profit corporation formed under the general not-for-profit corporation law of Missouri, chapter 355,] in order to provide for the acquisition, construction, improvement, extension, repair, remodeling, renovation and financing of sites, buildings, facilities, furnishings and equipment for the use of the educational institution for educational purposes.

3. The board may on such terms as it shall approve:

(1) Lease [from the corporation] sites, buildings, facilities, furnishings and equipment [which the corporation has] acquired or constructed; or

(2) Notwithstanding the provisions of this chapter or any other provision of law to the contrary, sell or lease at fair market value, which may be determined by appraisal, [to the corporation] any existing sites [owned by the educational institution], together with any existing buildings and facilities thereon, in order [for the corporation] to acquire, construct, improve, extend, repair, remodel, renovate, furnish and equip buildings and facilities thereon, and [then] lease back or purchase such sites, buildings and facilities [from the corporation]; provided that upon selling or leasing the sites, buildings or facilities, [the corporation agrees to enter into a lease for] **any lease back to the educational institution is not more than one year**

[but] **in length, and** with not more than twenty-five successive options by the educational institution to renew the lease under the same conditions; and provided further that [the corporation agrees] **there is an agreement** to convey or sell the sites, buildings or facilities, including any improvements, extensions, renovations, furnishings or equipment, back to the educational institution with clear title at the end of the period of successive one-year options or at any time bonds, notes or other obligations issued [by the corporation] to pay for the improvements, extensions, renovations, furnishings or equipment have been paid and discharged.

4. Any consideration, promissory note or deed of trust which an educational institution receives for selling or leasing property [to a not-for-profit corporation] pursuant to this section shall be placed in a separate fund or in escrow, and neither the principal or any interest thereon shall be commingled with any other funds of the educational institutions. At such time as the title or deed for property acquired, constructed, improved, extended, repaired, remodeled or renovated under this section is conveyed to the educational institution, the consideration shall be returned [to the corporation].

5. The board may make rental payments [to the corporation] under such leases out of its general funds or out of any other available funds, provided that in no event shall the educational institution become indebted in an amount exceeding in any year the income and revenue of the educational institution for such year plus any unencumbered balances from previous years.

6. Any bonds, notes and other obligations issued [by a corporation] to pay for the acquisition, construction, improvements, extensions, repairs, remodeling or renovations of sites, buildings and facilities, pursuant to this section, may be secured by a mortgage, pledge or deed of trust of the sites, buildings and facilities and a pledge of the revenues received from the rental thereof to the educational institution. Such bonds, notes and other obligations issued [by a corporation] shall not be a debt of the educational institution and the educational institution shall not be liable thereon, and in no event shall such bonds, notes or other obligations be payable out of any funds or properties other than those acquired for the purposes of this section, and such bonds, notes and obligations shall not constitute an indebtedness of the educational institution within the meaning of any constitutional or statutory debt limitation or restriction.

7. The interest on such bonds, notes and other obligations [of the corporation] and the income therefrom shall be exempt from taxation by the state and its political subdivisions, except for death and gift taxes on transfers. Sites, buildings, facilities, furnishings and equipment owned [by a corporation] in connection with any project pursuant to this section shall be exempt from taxation.

8. The board may make all other contracts or agreements [with the corporation] necessary or convenient in connection with any project pursuant to this section. [The corporation shall comply with sections 290.210 to 290.340.]

9. Notice that the board is considering a project pursuant to this section shall be given by publication in a newspaper published within the county in which all or a part of the educational institution is located which has general circulation within the area of the educational institution, once a week for two consecutive weeks, the last publication to be at least seven days prior to the date of the meeting of the board at which such project will be considered and acted upon.

10. [Provisions of other law to the contrary notwithstanding, the board may refinance any lease purchase agreement that satisfies at least one of the conditions specified in subsection 6 of section 165.011 for the purpose of payment on any lease with the corporation under this section for sites, buildings, facilities,

furnishings or equipment which the corporation has acquired or constructed, but such refinance shall not extend the date of maturity of any obligation, and the refinancing obligation shall not exceed the amount necessary to pay or provide for the payment of the principal of the outstanding obligations to be refinanced, together with the interest accrued thereon to the date of maturity or redemption of such obligations and any premium which may be due under the terms of such obligations and any amounts necessary for the payments of costs and expenses related to issuing such refunding obligations and to fund a capital projects reserve fund for the obligations.

11.] Provisions of other law to the contrary notwithstanding, payments made from any source by a school district, after the latter of July 1, 1994, or July 12, 1994, that result in the transfer of the title of real property to the school district, other than those payments made from the capital projects fund, shall be deducted as an adjustment to the funds payable to the district pursuant to section 163.031 beginning in the year following the transfer of title to the district, as determined by the department of elementary and secondary education. No district with modular buildings leased in fiscal year 2004, with the lease payments made from the incidental fund and that initiates the transfer of title to the district after fiscal year 2007, shall have any adjustment to the funds payable to the district under section 163.031 as a result of the transfer of title.

[12.] **11.** Notwithstanding provisions of this section to the contrary, the board of education of any school district may enter into agreements with the county in which the school district is located, or with a city, town, or village wholly or partially located within the boundaries of the school district, in order to provide for the acquisition, construction, improvement, extension, repair, remodeling, renovation, and financing of sites, buildings, facilities, furnishings, and equipment for the use of the school district for educational purposes. Such an agreement may provide for the present or future acquisition of an ownership interest in such facilities by the school district, by lease, lease-purchase agreement, option to purchase agreement, or similar provisions, and may provide for a joint venture between the school district and other entity or entities that are parties to such an agreement providing for the sharing of the costs of acquisition, construction, repair, maintenance, and operation of such facilities. The school district may wholly own such facilities, or may acquire a partial ownership interest along with the county, city, town, or village with which the agreement was executed.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 24, Section 192.310, Line 7, by inserting immediately after said line the following:

“304.190. 1. No motor vehicle, unladen or with load, operating exclusively within the corporate limits of cities containing seventy-five thousand inhabitants or more or within two miles of the corporate limits of the city or within the commercial zone of the city shall exceed fifteen feet in height.

2. No motor vehicle operating exclusively within any said area shall have a greater weight than twenty-two thousand four hundred pounds on one axle.

3. The “commercial zone” of the city is defined to mean that area within the city together with the territory extending one mile beyond the corporate limits of the city and one mile additional for each fifty thousand population or portion thereof provided, however:

(1) The commercial zone surrounding a city not within a county shall extend twenty-five miles beyond the corporate limits of any such city not located within a county and shall also extend throughout any county with a charter form of government which adjoins that city and throughout any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants that is adjacent to such county adjoining such city;

(2) The commercial zone of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants shall extend twelve miles beyond the corporate limits of any such city; except that this zone shall extend from the southern border of such city's limits, beginning with the western-most freeway, following said freeway south to the first intersection with a multilane undivided highway, where the zone shall extend south along said freeway to include a city of the fourth classification with more than eight thousand nine hundred but less than nine thousand inhabitants, and shall extend north from the intersection of said freeway and multilane undivided highway along the multilane undivided highway to the city limits of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants, and shall extend east from the city limits of a special charter city with more than two hundred seventy-five but fewer than three hundred seventy-five inhabitants along State Route 210 and northwest from the intersection of State Route 210 and State Route 10 to include the boundaries of any city of the third classification with more than ten thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county. The commercial zone shall continue east along State Route 10 from the intersection of State Route 10 and State Route 210 to the eastern city limit of a city of the fourth classification with more than five hundred fifty but fewer than six hundred twenty-five inhabitants and located in any county of the third classification without a township form of government and with more than twenty-three thousand but fewer than twenty-six thousand inhabitants and with a city of the third classification with more than five thousand but fewer than six thousand inhabitants as the county seat. The commercial zone described in this subdivision shall be extended to also include the stretch of State Route 45 from its intersection with Interstate 29 extending northwest to the city limits of any village with more than forty but fewer than fifty inhabitants and located in any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat;

(3) The commercial zone of a city of the third classification with more than nine thousand six hundred fifty but fewer than nine thousand eight hundred inhabitants shall extend south from the city limits along U.S. Highway 61 to the intersection of State Route OO in a county of the third classification without a township form of government and with more than seventeen thousand eight hundred but fewer than seventeen thousand nine hundred inhabitants;

**(4) The commercial zone of a home rule city with more than one hundred eight thousand but fewer than one hundred sixteen thousand inhabitants shall extend north from the city limits along U.S. Highway 63 for eight miles, and shall extend east from the city limits along State Route WW to the intersection of State Route J and continue south on State Route J for four miles.**

4. In no case shall the commercial zone of a city be reduced due to a loss of population. The provisions of this section shall not apply to motor vehicles operating on the interstate highways in the area beyond two miles of a corporate limit of the city unless the United States Department of Transportation increases the allowable weight limits on the interstate highway system within commercial zones. In such case, the

mileage limits established in this section shall be automatically increased only in the commercial zones to conform with those authorized by the United States Department of Transportation.

5. Nothing in this section shall prevent a city, county, or municipality, by ordinance, from designating the routes over which such vehicles may be operated.

6. No motor vehicle engaged in interstate commerce, whether unladen or with load, whose operations in the state of Missouri are limited exclusively to the commercial zone of a first class home rule municipality located in a county with a population between eighty thousand and ninety-five thousand inhabitants which has a portion of its corporate limits contiguous with a portion of the boundary between the states of Missouri and Kansas, shall have a greater weight than twenty-two thousand four hundred pounds on one axle, nor shall exceed fifteen feet in height.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 24, Section 192.310, Line 7, by inserting after all of said line the following:

**“249.424. 1. If approved by a majority of the voters voting on the proposal, and upon the adoption of a resolution by a majority of the sewer district’s board of trustees, any sewer district established and organized under this chapter, may levy and impose annually a fee not to exceed thirty-six dollars per year within its boundaries for the repair of lateral sewer service lines on or connecting residential property having six or fewer dwelling units, except that the fee shall not be imposed on property in the sewer district that is located within any city, town, village, or unincorporated area of a county that already imposes a fee under section 249.422. Any sewer district that establishes or increases the fee used to repair any portion of the lateral sewer service line shall include all defective portions of the lateral sewer service line from the residential structure to its connection with the public sewer system line. Notwithstanding any provision of chapter 448, the fee imposed pursuant to this chapter shall be imposed upon condominiums that have six or fewer condominium units per building and each condominium unit shall be responsible for its proportionate share of any fee charged pursuant to this chapter, and in addition, any condominium unit shall, if determined to be responsible for and served by its own individual lateral sewer line, be treated as an individual residence regardless of the number of units in the development. It shall be the responsibility of the condominium owner or condominium association to notify the sewer district that they are not properly classified as provided in this section.**

**2. The question shall be submitted to the registered voters who reside within the boundaries of the sewer district, excluding any voters who live within the boundaries of any city, town, village, or unincorporated area of a county that already imposes a fee under section 249.422. The question shall be submitted in substantially the following form:**

**Shall a maximum charge not to exceed thirty-six dollars be assessed annually on residential property for each lateral sewer service line serving six or fewer dwelling units on that property and condominiums that have six or fewer condominium units per building and any condominium responsible for its own individual lateral sewer line to provide funds to pay the cost of certain repairs of those lateral sewer service lines which may be billed quarterly or annually?**

☐ YES

☐ NO

**3. If a majority of the voters voting thereon approve the proposal provided for in subsection 2 of this section, any sewer district established and organized under this chapter may, upon the adoption of a resolution by a majority of the sewer district's board of trustees, collect and administer such fee in order to protect the public health, welfare, peace, and safety. The funds collected shall be deposited in a special account to be used solely for the purpose of paying for all or a portion of the costs reasonably associated with and necessary to administer and carry out the defective lateral sewer service line repairs. All interest generated on deposited funds shall be accrued to the special account established for the repair of lateral sewer service lines.**

**4. The collector in any county containing a sewer district that adopts a resolution under this section to collect a fee for the repair of lateral sewer service lines may add such fee to the general tax levy bills of property owners within the boundaries of the sewer district, excluding property located in any city, town, village, or unincorporated area of the county that already imposes a fee under section 249.422. All revenues received on such combined bill for the purpose of providing for the repair of lateral sewer service lines shall be separated from all other revenues so collected and credited to the special account established by the sewer district under subsection 3 of this section.**

**5. If a city, town, village, or county, which is within the sewer district and imposed a fee under section 249.422, later rescinds such fee after voters authorized the fee provided under this section, the sewer district may submit the question provided under subsection 2 of this section to the registered voters of such city, town, village, or county that have property within the boundaries of the sewer district. If a majority of voters voting on the proposal approve, the sewer district may levy and impose the fee as provided under this section on property within such city, town, village, or county.”;**  
and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE AMENDMENT NO. 7**

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 24, Section 192.310, Line 7, by inserting after all of said section and line the following:

**“262.960. 1. This section shall be known and may be cited as the “Farm-to-School Act”.**

**2. There is hereby created within the department of agriculture the “Farm-to-School Program” to connect Missouri farmers and schools in order to provide schools with locally grown agricultural products for inclusion in school meals and snacks and to strengthen local farming economies. The department shall designate an employee to administer and monitor the farm-to-school program and to serve as liaison between Missouri farmers and schools.**

**3. The following agencies shall make staff available to the Missouri farm-to-school program for the purpose of providing professional consultation and staff support to assist the implementation of this section:**

**(1) The department of health and senior services;**

**(2) The department of elementary and secondary education; and**



**(3) The office of administration.**

**4. The duties of the department employee coordinating the farm-to-school program shall include, but not be limited to:**

**(1) Establishing and maintaining a website database to allow farmers and schools to connect whereby farmers can enter the locally grown agricultural products they produce along with pricing information, the times such products are available, and where they are willing to distribute such products;**

**(2) Providing leadership at the state level to encourage schools to procure and use locally grown agricultural products;**

**(3) Conducting workshops and training sessions and providing technical assistance to school food service directors, personnel, farmers, and produce distributors and processors regarding the farm-to-school program; and**

**(4) Seeking grants, private donations, or other funding sources to support the farm-to-school program.**

**262.962. 1. As used in this section, section 262.960, and subsection 5 of section 348.707, the following terms shall mean:**

**(1) “Locally grown agricultural products”, food or fiber produced or processed by a small agribusiness or small farm;**

**(2) “Schools”, includes any school in this state that maintains a food service program under the United States Department of Agriculture and administered by the school;**

**(3) “Small agribusiness”, as defined in section 348.400, and located in Missouri with gross annual sales of less than five million dollars;**

**(4) “Small farm”, a family-owned farm or family farm corporation as defined in section 350.010, and located in Missouri with less than two hundred fifty thousand dollars in gross sales per year.**

**2. There is hereby created a taskforce under the AgriMissouri program established in section 261.230, which shall be known as the “Farm-to-School Taskforce”. The taskforce shall be made up of at least one representative from each of the following agencies: the University of Missouri extension service, the department of agriculture, the department of elementary and secondary education, and the office of administration. In addition, the director of the department of agriculture shall appoint two persons actively engaged in the practice of small agribusiness. In addition, the director of the department of elementary and secondary education shall appoint two persons from schools within the state who direct a food service program. One representative for the department of agriculture shall serve as the chairperson for the taskforce and shall coordinate the taskforce meetings. The taskforce shall hold at least two meetings, but may hold more as it deems necessary to fulfill its requirements under this section. Staff of the department of agriculture may provide administrative assistance to the taskforce if such assistance is required.**

**3. The mission of the taskforce is to provide recommendations for strategies that:**

**(1) Allow schools to more easily incorporate locally grown agricultural products into their**

**cafeteria offerings, salad bars, and vending machines; and**

**(2) Allow schools to work with food service providers to ensure greater use of locally grown agricultural products by developing standardized language for food service contracts.**

**4. In fulfilling its mission under this section, the taskforce shall review various food service contracts of schools within the state to identify standardized language that could be included in such contracts to allow schools to more easily procure and use locally grown agricultural products.**

**5. The taskforce shall prepare a report containing its findings and recommendations and shall deliver such report to the governor, the general assembly, and to the director of each agency represented on the taskforce by no later than December 31, 2015.**

**6. In conducting its work, the taskforce may hold public meetings at which it may invite testimony from experts, or it may solicit information from any party it deems may have information relevant to its duties under this section.**

**7. This section shall expire on December 31, 2015.**

348.407.1. The authority shall develop and implement agricultural products utilization grants as provided in this section.

2. The authority may reject any application for grants pursuant to this section.

3. The authority shall make grants, and may make loans or guaranteed loans from the grant fund to persons for the creation, development and operation, for up to three years from the time of application approval, of rural agricultural businesses whose projects add value to agricultural products and aid the economy of a rural community.

4. The authority may make loan guarantees to qualified agribusinesses for agricultural business development loans for businesses that aid in the economy of a rural community and support production agriculture or add value to agricultural products by providing necessary products and services for production or processing.

**5. The authority may make grants, loans, or loan guarantees to Missouri businesses to access resources for accessing and processing locally grown agricultural products for use in schools within the state.**

**6.** The authority may, upon the provision of a fee by the requesting person in an amount to be determined by the authority, provide for a feasibility study of the person's rural agricultural business concept.

[6.] **7.** Upon a determination by the authority that such concept is feasible and upon the provision of a fee by the requesting person, in an amount to be determined by the authority, the authority may then provide for a marketing study. Such marketing study shall be designed to determine whether such concept may be operated profitably.

[7.] **8.** Upon a determination by the authority that the concept may be operated profitably, the authority may provide for legal assistance to set up the business. Such legal assistance shall include, but not be limited to, providing advice and assistance on the form of business entity, the availability of tax credits and other assistance for which the business may qualify as well as helping the person apply for such assistance.

[8.] **9.** The authority may provide or facilitate loans or guaranteed loans for the business including, but not limited to, loans from the United States Department of Agriculture Rural Development Program, subject to availability. Such financial assistance may only be provided to feasible projects, and for an amount that is the least amount necessary to cause the project to occur, as determined by the authority. The authority may structure the financial assistance in a way that facilitates the project, but also provides for a compensatory return on investment or loan payment to the authority, based on the risk of the project.

[9.] **10.** The authority may provide for consulting services in the building of the physical facilities of the business.

[10.] **11.** The authority may provide for consulting services in the operation of the business.

[11.] **12.** The authority may provide for such services through employees of the state or by contracting with private entities.

[12.] **13.** The authority may consider the following in making the decision:

(1) The applicant's commitment to the project through the applicant's risk;

(2) Community involvement and support;

(3) The phase the project is in on an annual basis;

(4) The leaders and consultants chosen to direct the project;

(5) The amount needed for the project to achieve the bankable stage; and

(6) The [projects] **project's** planning for long-term success through feasibility studies, marketing plans and business plans.

[13.] **14.** The department of agriculture, the department of natural resources, the department of economic development and the University of Missouri may provide such assistance as is necessary for the implementation and operation of this section. The authority may consult with other state and federal agencies as is necessary.

[14.] **15.** The authority may charge fees for the provision of any service pursuant to this section.

[15.] **16.** The authority may adopt rules to implement the provisions of this section.

[16.] **17.** Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 348.005 to 348.180 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 22,

Section 135.980, Line 13, by inserting immediately after said line the following:

“182.802. 1. (1) Any public library district located in any of the following counties may impose a tax as provided in this section:

(a) At least partially within any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;

(b) Any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants;

(c) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;

(d) Any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants;

(e) Any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants;

(f) Any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants;

(g) Any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat;

**(h) Any county of the fourth classification with more than twenty thousand but fewer than thirty thousand inhabitants.**

(2) Any public library district listed in subdivision (1) of this subsection may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of public libraries within the boundaries of such library district. The tax authorized by this subsection shall be in addition to all other taxes allowed by law. No tax under this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

2. In the event the district seeks to impose a sales tax under this subsection, the question shall be submitted in substantially the following form:

Shall a ..... cent sales tax be levied on all retail sales within the district for the purpose of providing funding for ..... library district?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and

until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax approved under this subsection.

3. As used in this section, “qualified voters” or “voters” means any individuals residing within the district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

4. For purposes of this section the term “public library district” shall mean any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 1, In the Title, Line 5, by inserting the following at the end of said line:

“and sections 1 to 21 of an act of the general assembly of the state of Missouri approved on February 26, 1885, Laws of Missouri, pages 116 to 120, sections 1 to 11 of an act of the general assembly of the state of Missouri approved on February 26, 1885, Laws of Missouri, pages 131 and 132, and sections 1 to 10 of an act of the general assembly of the state of Missouri approved on February 26, 1885, Laws of Missouri, pages 134 and 135,”; and

Further amend said bill and page, Section A, Line 4, by inserting after “RSMo,” the following:

“sections 1 to 21 of an act of the general assembly of the state of Missouri approved on February 26, 1885, Laws of Missouri, pages 116 to 120,”; and

Further amend said bill, Page 33, Section 578.120, Line 16, by inserting after all of said line the following:

“[Section 1. In pursuance of a notice published in accordance with the provisions of law, the tenor of which is as follows: Notice is hereby given by the householders and citizens of Randolph county, Missouri, that a bill will be presented to the thirty third general assembly of the state of Missouri, asking that two terms of the Randolph county circuit court be held at the city of Moberly, in said county, with like jurisdiction in all civil and criminal cases arising in said county or removed to the same by change of venue from any other county and like concurrent jurisdiction with, and appellate jurisdiction from, and like superintending control over the probate court, county court, municipal corporation courts, justices of the peace and all inferior tribunals in said county, and like power and jurisdiction over all persons, subjects, matters and things as is or may be provided by law in reference to circuit courts in this state, and for the repeal of “an act to establish a court of common pleas, and define the jurisdiction thereof in the city of Moberly, Randolph county, Missouri,” approved February 26, 1875, and all acts amendatory thereof. It is hereby provided that the judge of the Randolph county circuit court shall hold two terms of the circuit court

each year in the city of Moberly in the county of Randolph, at the following times, to wit: on the first Monday in February and the third Monday in September.]

[Sec. 2. The judge of the circuit court in Randolph county shall select a suitable place for holding said court at the city of Moberly, and for the various offices herein provided for, and the place so selected by the said judge for the holding the said courts shall be known and designated as the court house at the city of Moberly; and cause the same and said offices to be furnished in a proper manner for said court and its officers and report the rental, cost and expense thereof to the county court of Randolph county, which shall pay the same as other claims against said county are paid out of the county treasury, and the judge of said court may change the place of holding said court in said city of Moberly when he deems it advisable, to some other place in said city.]

[Sec 3. Said court shall have and exercise like powers and jurisdiction in all civil and criminal causes and proceedings whatsoever arising in said county or removed to the same by change of venue from any other county, and like concurrent jurisdiction with, and appellate jurisdiction from, and like superintending control over the county courts, probate courts, municipal corporation courts, justices of the peace, and all inferior tribunals in said county; and like powers, control and jurisdiction over all persons, corporations, subjects, matters and things as is or may be provided by law with reference to circuit courts in this state.]

[Sec. 4. The circuit clerk of Randolph county shall be clerk of said court and shall attend the same in person or by deputy, and shall perform such duties as may be required of him by law, for which he shall receive the same fees as are provided by law for similar services in like courts.]

[Sec. 5. The clerk of said court shall procure and keep a seal to be used as the seal of said court. He shall also keep an office at the said city of Moberly and shall appoint a deputy, resident of said city of Moberly, for whose acts he shall be responsible, and who shall in his absence have the care and management of all books and papers pertaining to said court, and exercise the powers and perform all the duties of the office in the absence of his principal.]

[Sec. 6. The sheriff of Randolph county shall attend said court in person or by deputy, and perform such duties as shall be required of him by law. He shall also keep an office at said city of Moberly and shall appoint a deputy, resident of said city, who shall keep said office and have the care and management of the same, and exercise the powers and perform all the duties of sheriff of said county in the absence of his principal, for whose acts said principal shall be responsible.]

[Sec. 7. The books, stationery, furniture, fuel, light, rent and other incidental expenses necessary for said court and offices shall be from time to time supplied and paid for out of the county treasury.]

[Sec. 8. All general laws now in force or which may hereafter be enacted, regulating and governing courts of record, and all laws defining the practice and proceedings in such courts, are declared to be in force and effect in the court hereby established.]

[Sec. 9. All causes taken by change of venue from any other county to the circuit court of Randolph county may be transferred and certified into the circuit court either at the city of Huntsville or at the city of Moberly, in said county, unless one of said courts be designated in the order of removal, in which case said cause shall be certified into the court so designated in the order granting the change of venue.]

[Sec. 10. The parties to any suit or proceeding pending in the circuit court of Randolph county may, by agreement, in writing, signed by the said parties or their counsel and filed therein, remove the same from

the city of Moberly to the city of Huntsville, or from the city of Huntsville to the city of Moberly, or the judge of the circuit court of said Randolph county, upon the application of either party, and upon reasonable notice to the adverse party may, for good cause shown by affidavit or otherwise, remove any cause as aforesaid from the circuit court at Moberly to the circuit court at Huntsville, or from the circuit court at Huntsville to the circuit court at Moberly; and in such case the judge of said court may order the original papers transferred without the cost of copying the same, and the cause so transferred and removed shall be proceeded with in every respect as in changes of venue from one county to another.]

[Sec. 11. All judgments, orders and decrees of said court shall be a lien upon real estate to the same extent, and shall have like force and effect in every part of said county as similar judgments, orders, decrees and process of the circuit court of said Randolph county held at the city of Huntsville, and all real estate taken in execution by the sheriff of Randolph county under judgments rendered by the said circuit court at the said city of Moberly on all real estate situated in said county, and sold in pursuance of the judgment, order or decree thereof, shall be exposed to sale at the door of the court house at the city of Moberly, in the same time and manner as is or may be regulated by law.]

[Sec. 12. All mechanics' liens upon real estate situate in Randolph county, and all papers, notices and process necessary to be filed or taken in the circuit court to obtain, maintain and complete a lien of any kind authorized by law, upon real estate situate in said county, or upon any personal property, debts, credits, bonds, notes, assets or effects whatsoever may be filed and taken in the circuit court at the city of Moberly with like force and effect as if the same had been filed and taken in the circuit court at Huntsville, in said county. And all suits and process for the enforcement thereof shall be brought in the court where filed.]

[Sec. 13. All appeals from the county court, probate court, municipal corporation courts, justices of the peace and all inferior tribunals in said county of Randolph, may be granted and certified into the circuit court at the city of Moberly, or the circuit court at the city of Huntsville, in said county, as the one place or the other shall, in the opinion of the judge or justice granting the appeal, be most convenient to the parties, unless the parties to the cause, either by themselves or their attorneys, shall, in writing, filed in said cause, agree as to the appellate court, in which event the appeal shall be certified into the one of said courts so agreed upon in the manner provided by law.]

[Sec. 14. The secretary of state shall, after the passage of this act, forward to the clerk of said court, from time to time, all statutes, reports and other books required by law to be furnished to courts of record, for the use of said circuit court of the city of Moberly.]

[Sec. 15. The dockets now required by law to be kept by the clerk of the circuit court at the city of Huntsville, of all judgments rendered there, and notices and liens of every kind filed there shall include and contain all judgments, notices and liens rendered by and filed in the circuit court at the city of Moberly, and he shall also keep similar dockets at his office at the city of Moberly, which shall also include and contain all judgments rendered by and notices filed in the circuit court at the city of Huntsville.]

[Sec. 16. An act entitled, "an act to establish a court of common pleas, and define the jurisdiction thereof, in the city of Moberly, Randolph county, Missouri," approved February 26th, 1875, and all acts amendatory thereof, are hereby repealed. All the records, books, papers and furniture pertaining to the said court of common pleas are hereby transferred into the said circuit court at Moberly, together with all suits, process and business of every kind pending therein, which shall be proceeded with and determined by the said circuit court in the same manner, and with like effect, as if the same had been begun in said circuit

court; and the clerk of said circuit court shall have the custody and control of all the books, records, papers, furniture, and other effects appertaining to the said court of common pleas, which are or may be transferred to the said circuit court, and be responsible therefor, and perform such duties in relation thereto as he is required by law to perform in regard to similar things appertaining to his own office, and he shall, when required, make and certify copies, transcripts and exemplifications of such books, papers and records, which said copies, transcripts and exemplifications shall have the same force and effect as if said act had not been repealed and the same had been made by the clerk of said court of common pleas, and the said circuit court shall have the same power and control over the books, papers and records so transferred, including the power to alter or amend the same in cases allowed by law as it has or may have over its own books, papers and records.]

[Sec. 17. All mechanics' liens and other liens of every kind filed in said court of common pleas, and all judgments, orders and decrees of the said court of common pleas remaining unsatisfied, unperformed or unexecuted shall be enforced by the said circuit court to be held at the said city of Moberly, in the said manner as if the same had been filed, rendered or made therein; the said circuit court shall complete the unfinished process of said court of common pleas. The lien of all such process, judgments and decrees shall continue as if the law establishing said court of common pleas, and the acts amendatory thereof, were still in force, and may be revived by the said circuit court, in the manner provided by law for reviving the lien of judgments and decrees of circuit courts in this state; and the clerk of said circuit court may, whenever required, issue execution upon any such judgment or decree in any case authorized by law.]

[Sec. 18. All cases which may have been taken by appeal or writ of error from said court of common pleas to the supreme court, upon the decision of said supreme court remanding the same, shall be remanded to the said circuit court to be held at the city of Moberly, and be therein proceeded with as if the same had been taken from that court, and if any party to any action or proceeding in said court of common pleas shall, after the passage of this act, desire to sue out a writ of error therein, said writ shall be directed to the said circuit court held at the said city of Moberly and be returnable by the clerk thereof.]

[Sec. 19. All writs, rules, process and orders issued or made by the said court of common pleas and returnable to any term of said court, which would be held after the day that this act takes effect if the said court continued in existence, and which shall not have been returned before that day, shall be valid and shall be returned to the said circuit court at the city of Moberly at such time as they would respectively have been returnable in said court, and the said circuit court at Moberly may enforce the return thereof.]

[Sec. 20. All writs and other process of every kind issued from the said court of common pleas, being and remaining unexecuted in the hands of the sheriff of Randolph county, or any other county, shall be proceeded with and executed according to law, and shall be returned to the first term of said circuit court at Moberly, after the taking effect of this act, and all sales of real estate advertised to be made by said sheriff, and not made before the taking effect of this act, shall be made at the first term of the said circuit court at the city of Moberly, to be held after this act takes effect, and the said sheriff shall execute deeds for the same, acknowledge the same before the said circuit court as provided by law. In all cases where sales of real estate have been made upon execution issued from the said court of common pleas, and the deeds therefor have not been executed, the same shall be executed according to law, and the acknowledgment taken and certified before the said circuit court at the city of Moberly.]

[Sec. 21. The necessity of securing to the people of said Randolph county the benefits of this act at as early a day as practicable, by reason of the special circumstances of said county, creates an emergency in



the meaning of the constitution of this state; therefore, this act shall take effect and be in force from and after its passage.]

Section B. Sections 1 to 11 of an act of the general assembly of the state of Missouri approved on February 26, 1885, Laws of Missouri, pages 131 and 132 are repealed as follows:

[Section 1. In pursuance of notice published in accordance with the provisions of law, the tenor of which is as follows: Notice is hereby given by the householders and citizens of Randolph county that a bill will be presented to the thirty-third general assembly of the state of Missouri, asking that four terms of the county court of said Randolph county be authorized and required to be held at the city of Moberly in said county, with like power and jurisdiction co-extensive with said county as pertains to similar courts of record in this state, and for the establishment of a place of holding said court, and a county court clerk's office at the city of Moberly, in said county, and a deputy clerk of said court to reside in said city of Moberly and be in charge of said office. It is hereby provided that the judges of the county court of Randolph county, in addition to the terms of the county court of said county, required by law to be held at the city of Huntsville, in said county, be and they are hereby authorized, empowered and required to hold four terms annually of said county court of Randolph county, at the city of Moberly, in said county, commencing on the second Mondays in February, May, August and November, and may hold special and adjourned terms of said county court at said city of Moberly at any time required, with like power and jurisdiction in all respects co-extensive with said Randolph county as pertains to county courts in this state.]

[Sec. 2. The judges of the county court of Randolph county shall select a suitable place for holding said court at the city of Moberly, and also an office for the clerk of said court at said city of Moberly, which, when so selected, shall be known and designated as the county court room and the county clerk's office at the city of Moberly, and cause the same to be furnished in a proper manner for said county court and said county clerk, the rental cost and expense of which shall be paid as other claims against said county are paid out of the county treasury.]

[Sec. 3. The county clerk of Randolph county shall be clerk of said county court at Moberly, and shall attend the same in person or by deputy, and shall perform such duties as may be required of him by law, for which he shall receive the same fees as are provided by law for similar services in county courts in this state, and in addition thereto he shall be paid out of the county treasury three hundred dollars per annum, in quarterly installments, to enable him to furnish a competent clerk for said office at Moberly as hereinafter provided.]

[Sec. 4. The county clerk of said county shall procure and keep a seal, to be used as the seal of said county court at Moberly. He shall also keep an office at the said city of Moberly and shall appoint a deputy clerk, resident of said city of Moberly, for whose acts he shall be responsible, and who shall, in his absence, have the care and management of all the books and papers pertaining to said county court at Moberly, and exercise the powers and perform all the duties of the office of county clerk at said city of Moberly.]

[Sec. 5. The sheriff of Randolph county shall attend said court, either in person or by deputy, and shall perform such duties as are required of him by law, and for his services he shall receive the fees allowed by law for like services in similar cases, and all process to him directed from said county court at Moberly shall be by him returned into said court at Moberly.]

[Sec. 6. All the books, papers and records pertaining to matters and causes of action pending in said county court, and all business transacted in said county court at the city of Moberly, shall be kept at the

county clerk's office herein provided for, at the said city of Moberly; and all business begun in said county court at Moberly, shall be proceeded with to final determination therein, unless removed out of said court according to law; but the parties to any matter or cause of action pending in said county court at Moberly may, by agreement, in writing, signed by the parties or their attorneys, and filed in said court, remove the same into the county court at Huntsville in said county, and parties to any matter or cause of action pending in the county court at the city of Huntsville, in said county, may, in like manner, remove the same into the county court at Moberly, in said county, and said matter or cause of action, when so removed, shall be proceeded in as if it had originated in said court into which it is so removed; and in every such case the clerk of the county court may transfer the original papers on file in said matter or cause, with a certified copy of the record entries in the same, into said court into which said matter or cause of action has been so removed, and the record in said cause shall show such removal and transfer.]

[Sec. 7. all sales of real estate sold at public sale in said county of Randolph in pursuance of the judgments or order of the said county court at Moberly, shall be exposed to sale at the court house door at the city of Moberly, in said county, during the session of the said county court, or some other court of record, at said city of Moberly.]

[Sec. 8. Said county court, at the said city of Moberly, in the exercise of its jurisdiction, shall be governed by the statutes now, or that may hereafter be enacted, defining and limiting the practice in county courts in this state.]

[Sec. 9. The books, stationery, furniture, fuel, lights, rent and other incidental expenses necessary for said court and clerk's office shall be, from time to time, supplied and paid for out the county treasury of Randolph county.]

[Sec. 10. The secretary of state shall, after the passage of this act, forward to the clerk of said county court at the city of Moberly, from time to time, all statutes, reports and other books required by law to be furnished to similar courts of record for the use of said county court at the said city of Moberly.]

[Sec. 11. The necessity of securing to the people of said Randolph county the benefits of this act at as early a day as practicable, by reason of the special circumstances of said county, creates an emergency in the meaning of the constitution of this state; therefore, this act shall take effect and be in force from and after its passage.]

Section C. Sections 1 to 10 of an act of the general assembly of the state of Missouri approved on February 26, 1885, Laws of Missouri, pages 134 and 135 are repealed as follows:

[Section 1. In pursuance of notice published in accordance with the provisions of law, the tenor of which is as follows: Notice is hereby given by the householders and citizens of Randolph county, that a bill will be presented to the thirty-third general assembly of the state of Missouri, asking that four terms of the probate court of Randolph county be held at the city of Moberly, in said county, with like power and jurisdiction co-extensive with said county as pertain to similar courts of record in this state, and for the establishment of a probate office at said city of Moberly and the appointment of a separate clerk, to reside in said city and be in charge of said office. It is hereby provided that the judge of probate in said Randolph county, in addition to the terms of the probate court required by law to be held at the city of Huntsville, in said county, be and he is hereby authorized, empowered and required to hold four terms annually of said probate court at the city of Moberly, in said county, commencing on the first Monday in February, May, August and November, and may hold special and adjourned terms of said court at said city of Moberly at

any time required, with like power and jurisdiction co-extensive with said Randolph county in all matters as pertain to similar courts of record in this state.]

[Sec. 2. The judge of probate of said Randolph county shall have and keep, at the said city of Moberly, an office for the transaction of the business of said court and the keeping of the records thereof, to be selected by himself, and which, when so selected, shall be known and designated as the probate office at the city of Moberly. He shall also appoint a separate clerk, resident of said city of Moberly, for whose acts he shall be responsible, who shall qualify according to law and have charge of said probate office at Moberly, and in the absence of said judge of probate shall have the custody and control of the books, records, papers and furniture pertaining to said office, and shall discharge all the duties of clerk according to law, and have power and authority to do and perform all acts and duties in vacation, which the judge of said court is or may be authorized to perform in vacation, subject to the confirmation or rejection of said probate court at Moberly at the next regular term thereafter.]

[Sec. 3. The judge of probate of said court shall procure and keep a seal, to be used as the seal of said probate court at Moberly, the expense of which, together with the necessary expense incurred by said probate court for books, stationery, furniture, fuel, light, rent and other necessities, shall be paid by the said Randolph county.]

[Sec. 4. All the books, papers and records pertaining to matters and causes of action pending in said court, and all business transacted in said probate court at Moberly, shall be kept at the office herein provided for at the said city of Moberly; and all business begun in said court at Moberly shall be proceeded with to final determination therein, unless removed out of said court according to law. But the parties to any matter or cause of action pending in said probate court at Moberly may, by agreement, in writing, signed by said parties or their attorneys, and filed in said court by order of said court, remove the same into the probate court at Huntsville, in said county; and parties to any matter or cause of action pending in the probate court at Huntsville, in said county, may, in like manner, remove the same into the probate court at Moberly, in said county, and said matter or cause of action, when so removed, shall proceed in as if it had originated in said court into which it is removed; and in every such case the judge of probate may transfer the original papers of file in said matter or cause of action into said court into which said matter or cause of action has been so removed, and his record in said case shall show such removal and transfer.]

[Sec. 5. The sheriff of Randolph county, either in person or by deputy, shall attend said court and shall perform such duties as are enjoined upon him by law, and for his services shall receive the fees allowed by law for like services in similar cases, and all process to him directed from the said probate court at Moberly, shall be by him returned into said court at Moberly.]

[Sec. 6. The said judge of probate shall receive for his services as judge of said probate court at Moberly, in said Randolph county, the fees allowed by law for like services in similar cases, and in addition thereto an annual salary of five hundred dollars, to be paid in quarterly installments, out of the treasury of said Randolph county, to enable him to employ the separate clerk at the said office at Moberly, herein required and provided for.]

[Sec. 7. All real estate sold at public sale in said Randolph county, in pursuance of the judgment, order [or] decree of said probate court at Moberly, shall be exposed to sale at the court house door at the city of Moberly, in said county, during the session of said probate, or some other court of record in said city of Moberly.]

[Sec. 8. Said probate court at the said city of Moberly, in the exercise of its jurisdiction, shall be governed by the statutes in relation to administration, to guardians and curators of minors and persons of unsound mind, to apprentices and to such laws as may be enacted defining and limiting the practice in such courts in this state.]

[Sec. 9. The secretary of state shall, after the passage of this act, forward to the clerk of said probate court at Moberly, from time to time, all statutes, reports and other books required by law to be furnished to similar courts of record, for the use of said court at the said city of Moberly.]

[Sec. 10. The necessity of securing to the people of said Randolph county the benefits of this act at as early a day as practicable by reason of the special circumstances of said county, creates an emergency in the meaning of the constitution of this state; therefore, this act shall take effect and be in force from and after its passage.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 19, Section 79.145, Line 17, by inserting after all of said section and line the following:

“94.270. 1. The mayor and board of aldermen shall have power and authority to regulate and to license and to levy and collect a license tax on auctioneers, druggists, hawkers, peddlers, banks, brokers, pawnbrokers, merchants of all kinds, grocers, confectioners, restaurants, butchers, taverns, hotels, public boardinghouses, billiard and pool tables and other tables, bowling alleys, lumber dealers, real estate agents, loan companies, loan agents, public buildings, public halls, opera houses, concerts, photographers, bill posters, artists, agents, porters, public lecturers, public meetings, circuses and shows, for parades and exhibitions, moving picture shows, horse or cattle dealers, patent right dealers, stockyards, inspectors, gaugers, mercantile agents, gas companies, insurance companies, insurance agents, express companies, and express agents, telegraph companies, light, power and water companies, telephone companies, manufacturing and other corporations or institutions, automobile agencies, and dealers, public garages, automobile repair shops or both combined, dealers in automobile accessories, gasoline filling stations, soft drink stands, ice cream stands, ice cream and soft drink stands combined, soda fountains, street railroad cars, omnibuses, drays, transfer and all other vehicles, traveling and auction stores, plumbers, and all other business, trades and avocations whatsoever, and fix the rate of carriage of persons, drayage and cartage of property; and to license, tax, regulate and suppress ordinaries, money brokers, money changers, intelligence and employment offices and agencies, public masquerades, balls, street exhibitions, dance houses, fortune tellers, pistol galleries, corn doctors, private venereal hospitals, museums, menageries, equestrian performances, horoscopic views, telescopic views, lung testers, muscle developers, magnifying glasses, ten pin alleys, ball alleys, billiard tables, pool tables and other tables, theatrical or other exhibitions, boxing and sparring exhibitions, shows and amusements, tippling houses, and sales of unclaimed goods by express companies or common carriers, auto wrecking shops and junk dealers; to license, tax and regulate hackmen, draymen, omnibus drivers, porters and all others pursuing like occupations, with or without vehicles, and to prescribe their compensation; and to regulate, license and restrain runners for steamboats, cars, and public houses; and to license ferries, and to regulate the same and the landing thereof within the limits of the city, and to license and tax auto liveries, auto drays and jitneys.

2. Notwithstanding any other law to the contrary, no city of the fourth classification with more than eight

hundred but less than nine hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants shall levy or collect a license fee on hotels or motels in an amount in excess of [twenty-seven] **thirteen** dollars **fifty** cents per room per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitations of this subsection shall be automatically reduced to comply with this subsection.

3. Notwithstanding any other law to the contrary, no city of the fourth classification with more than four thousand one hundred but less than four thousand two hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants shall levy or collect a license fee on hotels or motels in an amount in excess of thirteen dollars and fifty cents per room per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitations of this subsection shall be automatically reduced to comply with this subsection.

4. Notwithstanding any other law to the contrary, on or after January 1, 2006, no city of the fourth classification with more than fifty-one thousand three hundred and eighty but less than fifty-one thousand four hundred inhabitants and located in any county with a charter form of government and with more than two hundred eighty thousand but less than two hundred eighty-five thousand or no city of the fourth classification with more than fifty-one thousand but fewer than fifty-two thousand inhabitants and located in any county with a charter form of government and with more than two hundred eighty thousand but less than two hundred eighty-five thousand shall levy or collect a license fee on hotels or motels in an amount in excess of one thousand dollars per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitation of this subsection shall be automatically reduced to comply with this subsection.

5. Any city under subsection 4 of this section may increase a hotel and motel license tax by five percent per year but the total tax levied under this section shall not exceed one-eighth of one percent of such hotels' or motels' gross revenue.

6. Any city under subsection 1 of this section may increase a hotel and motel license tax by five percent per year but the total tax levied under this section shall not exceed the greater of:

- (1) One-eighth of one percent of such hotels' or motels' gross revenue; or
- (2) The business license tax rate for such hotel or motel on May 1, 2005.

7. The provisions of subsection 6 of this section shall not apply to any tax levied by a city when the revenue from such tax is restricted for use to a project from which bonds are outstanding as of May 1, 2005."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 21, Section 105.690, Line 13, by inserting after all of said section and line the following:

"105.935. 1. Any state employee who has accrued any overtime hours may choose to use those hours as compensatory leave time provided that the leave time is available and agreed upon by both the state employee and his or her supervisor.

2. A state employee who is a nonexempt employee pursuant to the provisions of the Fair Labor Standards Act shall be eligible for payment of overtime in accordance with subsection [4] 5 of this section. A nonexempt state employee who works on a designated state holiday shall be granted equal compensatory time off duty or shall receive, at his or her choice, the employee's straight time hourly rate in cash payment. A nonexempt state employee shall be paid in cash for overtime unless the employee requests compensatory time off at the applicable overtime rate. As used in this section, the term "state employee" means any person who is employed by the state and earns a salary or wage in a position normally requiring the actual performance by him or her of duties on behalf of the state, but shall not include any employee who is exempt under the provisions of the Fair Labor Standards Act or any employee of the general assembly.

3. Beginning on January 1, 2006, and annually thereafter each department shall pay all nonexempt state employees in full for any overtime hours accrued during the previous calendar year which have not already been paid or used in the form of compensatory leave time. All nonexempt state employees shall have the option of retaining up to a total of eighty compensatory time hours.

**4. Missouri department of corrections employees classified as a corrections officer I or a corrections officer II who have accrued any overtime hours may choose to use those hours as compensatory leave time, provided that the leave time is available and agreed on by such employee and his or her supervisor. Compensatory time shall be considered accrued on completion of time worked in excess of such employee's normal assigned shift and it will be the employee's decision whether to take the time off or request payment for such hours. All employees classified as a corrections officer I or a corrections officer II shall have the right to retain up to eighty hours of compensatory time at any time during the year.**

[4.] 5. The provisions of subsection 2 of this section shall only apply to nonexempt state employees who are otherwise eligible for compensatory time under the Fair Labor Standards Act, excluding employees of the general assembly. Any nonexempt state employee requesting cash payment for overtime worked shall notify such employee's department in writing of such decision and state the number of hours, no less than twenty, for which payment is desired. The department shall pay the employee within the calendar month following the month in which a valid request is made. Nothing in this section shall be construed as creating a new compensatory benefit for state employees.

[5.] 6. Each department shall, by November first of each year, notify the commissioner of administration, the house budget committee chair, and the senate appropriations committee chair of the amount of overtime paid in the previous fiscal year and an estimate of overtime to be paid in the current fiscal year. The fiscal year estimate for overtime pay to be paid by each department shall be designated as a separate line item in the appropriations bill for that department. The provisions of this subsection shall become effective July 1, 2005.

[6.] 7. Each state department shall report quarterly to the house of representatives budget committee chair, the senate appropriations committee chair, and the commissioner of administration the cumulative number of accrued overtime hours for department employees, the dollar equivalent of such overtime hours, the number of authorized full-time equivalent positions and vacant positions, the amount of funds for any vacant positions which will be used to pay overtime compensation for employees with full-time equivalent positions, and the current balance in the department's personal service fund.

[7.] 8. This section is applicable to overtime earned under the Fair Labor Standards Act. This section

is applicable to employees who are employed in nonexempt positions providing direct client care or custody in facilities operating on a twenty-four-hour seven-day-a-week basis in the department of corrections, the department of mental health, the division of youth services of the department of social services, and the veterans commission of the department of public safety.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 17, Section 79.130, Line 13, by inserting immediately after said line the following:

“105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days after beginning any activities as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with the commission. The forms shall include the lobbyist’s name and business address, the name and address of all persons such lobbyist employs for lobbying purposes, the name and address of each lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or works, **and whether the lobbyist is required to register under sections 589.400 to 589.425.** The commission shall maintain files on all lobbyists’ filings, which shall be open to the public. Each lobbyist shall file an updating statement under oath within one week of any addition, deletion, or change in the lobbyist’s employment or representation. The filing fee shall be deposited to the general revenue fund of the state. The lobbyist principal or a lobbyist employing another person for lobbying purposes may notify the commission that a judicial, executive or legislative lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed from the commission’s files.

2. Each person shall, before giving testimony before any committee of the general assembly, give to the secretary of such committee such person’s name and address and the identity of any lobbyist or organization, if any, on whose behalf such person appears. A person who is not a lobbyist as defined in section 105.470 shall not be required to give such person’s address if the committee determines that the giving of such address would endanger the person’s physical health.

3. (1) During any period of time in which a lobbyist continues to act as an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the lobbyist shall file with the commission on standardized forms prescribed by the commission monthly reports which shall be due at the close of business on the tenth day of the following month;

(2) Each report filed pursuant to this subsection shall include a statement, verified by a written declaration that it is made under the penalties of perjury, setting forth the following:

(a) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all public officials, their staffs and employees, and their spouses and dependent children, which expenditures shall be separated into at least the following categories by the executive branch, judicial branch and legislative branch of government: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals, food and beverages; and gifts;

(b) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all elected local government officials, their staffs and employees, and their spouses and children. Such expenditures shall be separated into at least the following categories: printing and publication expenses;

media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals; food and beverages; and gifts;

(c) An itemized listing of the name of the recipient and the nature and amount of each expenditure by the lobbyist or his or her lobbyist principal, including a service or anything of value, for all expenditures made during any reporting period, paid or provided to or for a public official or elected local government official, such official's staff, employees, spouse or dependent children;

(d) The total of all expenditures made by a lobbyist or lobbyist principal for occasions and the identity of the group invited, the date, location, and description of the occasion and the amount of the expenditure for each occasion when any of the following are invited in writing:

a. All members of the senate, which may or may not include senate staff and employees under the direct supervision of a state senator;

b. All members of the house of representatives, which may or may not include house staff and employees under the direct supervision of a state representative;

c. All members of a joint committee of the general assembly or a standing committee of either the house of representatives or senate, which may or may not include joint and standing committee staff;

d. All members of a caucus of the majority party of the house of representatives, minority party of the house of representatives, majority party of the senate, or minority party of the senate;

e. All statewide officials, which may or may not include the staff and employees under the direct supervision of the statewide official;

(e) Any expenditure made on behalf of a public official, an elected local government official or such official's staff, employees, spouse or dependent children, if such expenditure is solicited by such official, the official's staff, employees, or spouse or dependent children, from the lobbyist or his or her lobbyist principals and the name of such person or persons, except any expenditures made to any not-for-profit corporation, charitable, fraternal or civic organization or other association formed to provide for good in the order of benevolence and except for any expenditure reported under paragraph (d) of this subdivision;

(f) A statement detailing any direct business relationship or association or partnership the lobbyist has with any public official or elected local government official. The reports required by this subdivision shall cover the time periods since the filing of the last report or since the lobbyist's employment or representation began, whichever is most recent.

4. No expenditure reported pursuant to this section shall include any amount expended by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to this section shall be valued on the report at the actual amount of the payment made, or the charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of such lobbyists. No expenditure shall be made on behalf of a state senator or state representative, or such public official's staff, employees, spouse, or dependent children for travel or lodging outside the state of Missouri unless such travel or lodging was approved prior to the date of the expenditure by the administration and accounts committee of the house or the administration committee of the senate.

5. Any lobbyist principal shall provide in a timely fashion whatever information is reasonably requested



by the lobbyist principal's lobbyist for use in filing the reports required by this section.

6. All information required to be filed pursuant to the provisions of this section with the commission shall be kept available by the executive director of the commission at all times open to the public for inspection and copying for a reasonable fee for a period of five years from the date when such information was filed.

7. No person shall knowingly employ any person who is required to register as a registered lobbyist but is not registered pursuant to this section. Any person who knowingly violates this subsection shall be subject to a civil penalty in an amount of not more than ten thousand dollars for each violation. Such civil penalties shall be collected by action filed by the commission.

8. Any lobbyist found to knowingly omit, conceal, or falsify in any manner information required pursuant to this section shall be guilty of a class A misdemeanor.

9. The prosecuting attorney of Cole County shall be reimbursed only out of funds specifically appropriated by the general assembly for investigations and prosecutions for violations of this section.

10. Any public official or other person whose name appears in any lobbyist report filed pursuant to this section who contests the accuracy of the portion of the report applicable to such person may petition the commission for an audit of such report and shall state in writing in such petition the specific disagreement with the contents of such report. The commission shall investigate such allegations in the manner described in section 105.959. If the commission determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an order requiring filing of an amended or corrected report.

11. The commission shall provide a report listing the total spent by a lobbyist for the month and year to any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any elected local government official on or before the twentieth day of each month. For the purpose of providing accurate information to the public, the commission shall not publish information in either written or electronic form for ten working days after providing the report pursuant to this subsection. The commission shall not release any portion of the lobbyist report if the accuracy of the report has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked "Under Review".

12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose behalf the lobbyist acted, shall provide a general description of the proposed legislation or action by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or opposed. This information shall be supplied to the commission on March fifteenth and May thirtieth of each year.

13. The provisions of this section shall supersede any contradicting ordinances or charter provisions."; and

Further amend said bill, Page 33, Section 578.120, Line 16, by inserting immediately after said line the following:

"[105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days after beginning any activities as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with the commission. The forms shall include the lobbyist's name and business address, the name and

address of all persons such lobbyist employs for lobbying purposes, the name and address of each lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or works. The commission shall maintain files on all lobbyists' filings, which shall be open to the public. Each lobbyist shall file an updating statement under oath within one week of any addition, deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited to the general revenue fund of the state. The lobbyist principal or a lobbyist employing another person for lobbying purposes may notify the commission that a judicial, executive or legislative lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed from the commission's files.

2. Each person shall, before giving testimony before any committee of the general assembly, give to the secretary of such committee such person's name and address and the identity of any lobbyist or organization, if any, on whose behalf such person appears. A person who is not a lobbyist as defined in section 105.470 shall not be required to give such person's address if the committee determines that the giving of such address would endanger the person's physical health.

3. (1) During any period of time in which a lobbyist continues to act as an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the lobbyist shall file with the commission on standardized forms prescribed by the commission monthly reports which shall be due at the close of business on the tenth day of the following month;

(2) Each report filed pursuant to this subsection shall include a statement, verified by a written declaration that it is made under the penalties of perjury, setting forth the following:

(a) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all public officials, their staffs and employees, and their spouses and dependent children, which expenditures shall be separated into at least the following categories by the executive branch, judicial branch and legislative branch of government: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals, food and beverages; and gifts;

(b) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all elected local government officials, their staffs and employees, and their spouses and children. Such expenditures shall be separated into at least the following categories: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals; food and beverages; and gifts;

(c) An itemized listing of the name of the recipient and the nature and amount of each expenditure by the lobbyist or his or her lobbyist principal, including a service or anything of value, for all expenditures made during any reporting period, paid or provided to or for a public official or elected local government official, such official's staff, employees, spouse or dependent children;

(d) The total of all expenditures made by a lobbyist or lobbyist principal for occasions and the identity of the group invited, the date and description of the occasion and the amount of the expenditure for each occasion when any of the following are invited in writing:

- a. All members of the senate;
- b. All members of the house of representatives;

c. All members of a joint committee of the general assembly or a standing committee of either the house of representatives or senate; or

d. All members of a caucus of the majority party of the house of representatives, minority party of the house of representatives, majority party of the senate, or minority party of the senate;

(e) Any expenditure made on behalf of a public official, an elected local government official or such official's staff, employees, spouse or dependent children, if such expenditure is solicited by such official, the official's staff, employees, or spouse or dependent children, from the lobbyist or his or her lobbyist principals and the name of such person or persons, except any expenditures made to any not-for-profit corporation, charitable, fraternal or civic organization or other association formed to provide for good in the order of benevolence;

(f) A statement detailing any direct business relationship or association or partnership the lobbyist has with any public official or elected local government official. The reports required by this subdivision shall cover the time periods since the filing of the last report or since the lobbyist's employment or representation began, whichever is most recent.

4. No expenditure reported pursuant to this section shall include any amount expended by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to this section shall be valued on the report at the actual amount of the payment made, or the charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of such lobbyists. No expenditure shall be made on behalf of a state senator or state representative, or such public official's staff, employees, spouse, or dependent children for travel or lodging outside the state of Missouri unless such travel or lodging was approved prior to the date of the expenditure by the administration and accounts committee of the house or the administration committee of the senate.

5. Any lobbyist principal shall provide in a timely fashion whatever information is reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by this section.

6. All information required to be filed pursuant to the provisions of this section with the commission shall be kept available by the executive director of the commission at all times open to the public for inspection and copying for a reasonable fee for a period of five years from the date when such information was filed.

7. No person shall knowingly employ any person who is required to register as a registered lobbyist but is not registered pursuant to this section. Any person who knowingly violates this subsection shall be subject to a civil penalty in an amount of not more than ten thousand dollars for each violation. Such civil penalties shall be collected by action filed by the commission.

8. No lobbyist shall knowingly omit, conceal, or falsify in any manner information required pursuant to this section.

9. The prosecuting attorney of Cole County shall be reimbursed only out of funds specifically appropriated by the general assembly for investigations and prosecutions for violations of this

section.

10. Any public official or other person whose name appears in any lobbyist report filed pursuant to this section who contests the accuracy of the portion of the report applicable to such person may petition the commission for an audit of such report and shall state in writing in such petition the specific disagreement with the contents of such report. The commission shall investigate such allegations in the manner described in section 105.959. If the commission determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an order requiring filing of an amended or corrected report.

11. The commission shall provide a report listing the total spent by a lobbyist for the month and year to any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any elected local government official on or before the twentieth day of each month. For the purpose of providing accurate information to the public, the commission shall not publish information in either written or electronic form for ten working days after providing the report pursuant to this subsection. The commission shall not release any portion of the lobbyist report if the accuracy of the report has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked "Under Review".

12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose behalf the lobbyist acted, shall provide a general description of the proposed legislation or action by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or opposed. This information shall be supplied to the commission on March fifteenth and May thirtieth of each year.

13. The provisions of this section shall supersede any contradicting ordinances or charter provisions.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 13

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 32, Section 525.310, Line 63, by inserting after all of said section and line the following:

**"537.900. No cause of action shall be made against a sheriff, a deputy sheriff, or an administrative employee of a sheriff when the actions complained of were made in furtherance of or in compliance with a court order or directive, even if the order or directive executed is later determined to be invalid by a court of competent jurisdiction. A cause of action for damages may be brought against the party who obtained the court's order or directive if obtained by way of fraud or false statement. If such an action is filed against a sheriff, a deputy sheriff, or an administrative employee of a sheriff, all costs incurred for the defense of the action by or on behalf of the sheriff, deputy sheriff, or administrative employee shall be taxed to the petitioner.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 14

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 15, Section 67.281, Line 17, by inserting after all of said section and line the following:

“67.320. 1. Any county [of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred] **with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand** inhabitants or any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants may prosecute and punish violations of its county orders in the circuit court of such counties in the manner and to the extent herein provided or in a county municipal court if creation of a county municipal court is approved by order of the county commission. The county may adopt orders with penal provisions consistent with state law, but only in the areas of traffic violations, solid waste management, county building codes, on-site sewer treatment, zoning orders, and animal control. Any county municipal court established pursuant to the provisions of this section shall have jurisdiction over violations of that county’s orders and the ordinances of municipalities with which the county has a contract to prosecute and punish violations of municipal ordinances of the municipality.

2. Except as provided in subsection 5 of this section in any county which has elected to establish a county municipal court pursuant to this section, the judges for such court shall be appointed by the county commission of such county, subject to confirmation by the legislative body of such county in the same manner as confirmation for other county appointed officers. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission.

3. The practice and procedure of each prosecution shall be conducted in compliance with all of the terms and provisions of sections 66.010 to 66.140, except as provided for in this section.

4. Any use of the term ordinance in sections 66.010 to 66.140 shall be synonymous with the term order for purposes of this section.

5. In any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants, the first judges shall be appointed by the county commission for a term of four years, and thereafter the judges shall be elected for a term of four years. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission.”; and

Further amend said bill, Section 578.120, Page 33, Line 16, by inserting after all of said section and line the following:

“[67.320. 1. Any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants or any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants may prosecute and punish violations of its county orders in the circuit court of such counties in the manner and to the extent herein provided or in a county municipal court if creation of a county municipal court is approved by order of the county commission. The county may adopt orders with penal provisions consistent with state law, but only in the areas of traffic violations, solid waste management, county building codes, on-site sewer treatment, zoning orders, and animal control. Any county municipal court established pursuant to the provisions of this section shall have jurisdiction over violations of that county’s orders and the ordinances of municipalities with which the county has a contract to prosecute and punish violations of municipal ordinances of the municipality.

2. Except as provided in subsection 5 of this section in any county which has elected to establish a county municipal court pursuant to this section, the judges for such court shall be

appointed by the county commission of such county, subject to confirmation by the legislative body of such county in the same manner as confirmation for other county appointed officers. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission.

3. The practice and procedure of each prosecution shall be conducted in compliance with all of the terms and provisions of sections 66.010 to 66.140, except as provided for in this section.

4. Any use of the term ordinance in sections 66.010 to 66.140 shall be synonymous with the term order for purposes of this section.

5. In any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants, the first judges shall be appointed by the county commission for a term of four years, and thereafter the judges shall be elected for a term of four years. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission.]]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 15

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 17, Section 79.050, Line 40, by inserting after all of said line the following:

**“79.062. 1. The holder of any elective office who is serving a term of four years in any city of the fourth classification as described in section 72.040 may be removed by the qualified voters of such city by recall petition in accordance with the procedure set out in this section subject to the following limitations:**

**(1) The officer has held office for at least six months;**

**(2) Additional recall petitions may be filed but shall not be filed during the six months immediately following voter disapproval of the last recall petition;**

**(3) The recalled officer shall not be a candidate for such office at any special election held to fill the vacancy created by the officer’s recall, nor shall the officer be appointed by the appointing authority to fill the vacancy.**

**2. A petition signed by voters entitled to vote for a successor to the incumbent sought to be removed, equal in number to at least twenty-five percent of the total number of registered voters in such city entitled to vote for a successor to the incumbent sought to be removed, demanding the recall of a person from elective office shall be filed with the county clerk. The petition shall contain a statement of the reasons for which recall is sought which shall not be more than two hundred words in length. Such petition for recall shall be filed with the appropriate county clerk or election authority within sixty days after the date of the earliest signature on the petition. The reasons for recall are misconduct in office, incompetence, or failure to perform duties prescribed by law. The signatures to the petition need not all be appended to one paper, but each signer shall add to the signer’s signature the signer’s place of residence, giving the street and number and the date signed. One of the signers of each such paper shall make oath before an officer competent to administer oaths that the statements therein made are true as the signer believes and that each signature to the paper appended is the genuine signature of the person whose name it purports to be.**

**3. Within ten days from the date of filing such petition, the county clerk of the county in which such city is located shall examine and from the voters' register ascertain whether the petition is signed by the requisite number of voters, and if necessary, the board of aldermen shall allow the clerk extra help for the purpose. The clerk shall attach to the petition a certificate showing the result of the examination. If by the clerk's certificate the petition is shown to be insufficient, it may be amended within ten days from the date of such certificate. The clerk shall, within ten days after such amendment, make like examination of the amended petition, and if the clerk's certificate shall show the amended petition to be insufficient, the amended petition shall be returned to the person filing it, without prejudice, however, to the filing of a new petition to the same effect. If the petition shall be deemed to be sufficient, the clerk shall submit the same to the board of aldermen without delay. If the petition shall be found to be sufficient, the board of aldermen shall order the question to be submitted to the voters of the city.**

**4. A special election shall be held on the recall petition as soon as practicable and as may be determined by the election authority of the county. The question to be presented to the voters at such election shall be in substantially the following form:**

- ☐ **FOR the removal of ..... (name of officer) from the office of ..... (title of office)**
- ☐ **AGAINST the removal of ..... (name of officer) from the office of ..... (title of office)**

**5. If a majority of the qualified electors voting on the question at such election shall vote FOR the removal of such officer, a vacancy shall exist in such office. If a majority of the qualified electors voting on the question at such election shall vote AGAINST the removal of such officer, such officer shall continue to serve during the term for which elected.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 16

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 27, Section 321.322, Line 68, by inserting after all of said line the following:

“339.507. 1. There is hereby created within the division of professional registration the “Missouri Real Estate Appraisers Commission”, which shall consist of seven members appointed by the governor with the advice and consent of the senate, six of whom shall be appraiser members, and one shall be a public member. Each member shall be a resident of this state and a registered voter for a period of one year prior to the person's appointment. The president of the Missouri Appraiser Advisory Council in office at the time shall, at least ninety days prior to the expiration of the term of the commission member, other than the public member, or as soon as feasible after the vacancy on the commission otherwise occurs, submit to the director of the division of professional registration a list of five appraisers qualified and willing to fill the vacancy in question, with the request and recommendation that the governor appoint one of the five persons so listed, and with the list so submitted, the president of the Missouri Appraiser Advisory Council shall include in his or her letter of transmittal a description of the method by which the names were chosen by that association. The public member shall have never been engaged in the businesses of real estate appraisal, real estate sales or making loans secured by real estate.

2. The real estate appraiser members appointed by the governor shall be Missouri residents who have real estate appraisal experience in the state of Missouri for not less than five years immediately preceding

their appointment. Appraiser members of the commission shall be appointed from the registry of state-certified real estate appraisers and state-licensed real estate appraisers. **Real estate appraiser commission members, appointed after August 28, 2014, shall not be from the same United States congressional district.**

3. All members shall be appointed for three-year terms. All members shall serve until their successors have been appointed and qualified. Vacancies occurring in the membership of the commission for any reason shall be filled by appointment by the governor for the unexpired term. Upon expiration of their terms, members of the commission shall continue to hold office until the appointment and qualification of their successors. No more than four members of the commission shall be members of the same political party. No person shall be appointed for more than two consecutive terms. The governor may remove a member for cause.

4. The commission shall meet at least once each calendar quarter to conduct its business. A quorum of the commission shall consist of four members.

5. Each member of the commission shall be entitled to a per diem allowance of fifty dollars for each meeting of the commission at which the member is present and shall be entitled to reimbursement of the member's expenses necessarily incurred in the discharge of the member's official duties. Each member of the commission shall be entitled to reimbursement of travel expenses necessarily incurred in attending meetings of the commission.

**6. The commission shall prepare an annual report outlining business conducted by the commission during the previous calendar year and shall submit a copy to the general assembly by April first of each year. The report shall include:**

**(1) The number of complaints that were filed against licensees;**

**(2) The number and disposition of investigations conducted by the commission pursuant to the filing of a complaint; and**

**(3) An accounting of all expenditures of the commission.**

**339.531. 1. Any person may file a complaint with the commission alleging that a licensee has committed any combination of the acts or omissions provided in subsection 2 of section 339.532. A complaint shall be in writing and shall be signed by the complainant, but a complainant is not required to specify the provisions of law or regulations alleged to have been violated in the complaint.**

**2. Upon the receipt of a complaint against a licensee, the commission shall refer the complaint to the probable cause committee. The commission shall appoint a probable cause committee of four members, one of whom shall be a current member of the commission and three past commission members selected by the commission. The probable cause committee shall serve in an advisory capacity to the commission and review complaints and make a recommendation to the commission regarding the disposition of the complaint. The commission shall provide by rule for the selection process, length of committee member terms, and other procedures necessary for the functioning of the committee.**

**3. Each complaint shall be considered a grievance until reviewed by the probable cause committee. When a grievance is filed under subsection 1 of this section, a copy shall be provided to the licensee,**



who shall have ten working days to respond documenting why the grievance may have no merit. If the licensee responds within the allowable time, the probable cause committee shall review the grievance and response. If the probable cause committee determines that the grievance has no merit, the grievance shall be dismissed and no complaint shall be placed on the licensee's record. If the probable cause committee determines that the grievance has merit, it shall present the case to the commission, and the commission shall decide whether or not to proceed with an investigation of the grievance as a complaint. If the commission decides to proceed with an investigation of a complaint, at that time the complaint shall become a part of the licensee's record.

4. When the commission determines to proceed with a complaint against a licensee, the commission shall investigate the actions of the licensee against whom the complaint is made. In conducting an investigation, the commission may request the licensee under investigation to:

- (1) Answer the charges made against him or her in writing;
- (2) Produce relevant documentary evidence pertaining to the specific complaint causing the investigation; and
- (3) Appear before the commission.

5. A copy of any written answer of the licensee requested under subsection 4 of this section may be furnished to the complainant, as long as furnishing the written answer does not require disclosure of confidential information under the Uniform Standards of Professional Appraisal Practice.

6. The commission shall notify the complainant and the licensee that an investigation has been commenced within ten working days of the date of the commission's decision to proceed with a complaint under subsection 4 of this section. The commission shall also notify and inform the complainant and licensee of the status of the investigation every sixty days following the commencement of the investigation. No investigation shall last longer than twelve months. Once an investigation is closed or dismissed it shall not be reopened.

7. In the event that the commission fails to meet the notification and investigation requirements of this section or does not finish the investigation within twelve months, then the commission shall provide the complainant at the commission's expense with an appraisal and an appraisal report of the real estate originally appraised by the licensee under investigation.

8. A real estate appraiser member of the commission shall recuse themselves from any matter in which their knowledge of the parties, circumstances, or subject matter will substantially affect their ability to be fair and impartial.

9. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 17

Amend House Amendment No. 17 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 1, Line 10, by deleting “state.” and inserting in lieu thereof the following:

**“state; except that, nothing in this section shall limit the authority of any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants or any home rule city with more than four hundred thousand inhabitants and located in more than one county, to require by ordinance or regulation the spaying or neutering of specific breeds of dogs.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 17

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 24, Section 192.310, Line 7, by inserting immediately at the end of said line the following:

**“273.195. 1. Nothing in this chapter shall be construed to limit in any manner the authority of any village, town, or city, including any home rule city, to prohibit dogs from running at large or to further control or regulate dogs within its boundaries; provided that, no such ordinances, orders, policies, or regulations are specific to breed.**

**2. The general assembly hereby occupies and preempts the entire field of legislation touching in any way the control or regulation of specific breeds of dogs to the complete exclusion of any order, ordinance, policy, or regulation by any village, town, or city, including any home rule city, in this state. Any existing or future orders, ordinances, policies, or regulations in this field are hereby and shall be null and void.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

HOUSE BILLS ON THIRD READING

Senator Nieves moved that **HCS** for **HB 1439**, with **SCS** and **SS** for **SCS**, as amended (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SS** for **SCS** for **HCS** for **HB 1439** was again taken up.

Senator Lager offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1439, Page 28, Section 571.101, Lines 17-18 of said page, by striking all of said lines and inserting in lieu thereof the following: “carry permit shall be valid [for a period of five years] from the date of issuance or renewal **until five years from the last day of the month in which the**”; and further amend lines 27-28 of said page, by striking all of said lines and inserting in lieu thereof the following: “endorsement issued prior to August 28, 2013, shall continue [for a period of three years] from the date of issuance or renewal **until three years from the last**”.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Nieves moved that **SS** for **SCS** for **HCS** for **HB 1439**, as amended, be adopted, which motion prevailed.

On motion of Senator Nieves, **SS** for **SCS** for **HCS** for **HB 1439**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

NAYS—Senators

Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton	Walsh—8
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Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—2

The President Pro Tem declared the bill passed.

On motion of Senator Nieves, title to the bill was agreed to.

Senator Nieves moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 1126**, introduced by Representative Dugger, with **SCS**, entitled:

An Act to repeal section 71.015, RSMo, and to enact in lieu thereof one new section relating to elections for annexation.

Was taken up by Senator Kraus.

**SCS** for **HB 1126**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1126

An Act to repeal sections 71.015, 77.030, 79.050, and 115.607, RSMo, and to enact in lieu thereof four new sections relating to elections in political subdivisions.

Was taken up.

Senator Kraus moved that **SCS** for **HB 1126** be adopted.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 1126, Page 5, Section 71.015, Line 161, by inserting after all of said line the following:

“72.401. 1. If a commission has been established pursuant to section 72.400 in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to 105.498 and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, and any voluntary annexation approved by municipal ordinance provided that the municipality owns the area to be annexed, that the area is contiguous with the municipality, and that the area is utilized only for parks and recreation purposes, shall not be subject to commission review. Such a boundary adjustment or annexation is not prohibited by the existence of an established unincorporated area.

**9. Any annexation of property or defined areas of properties approved by a majority of property owners residing thereon and by ordinance of any municipality that is a service provider for both the water and sanitary sewer within the municipality shall be effective as provided in the annexation ordinance and shall not be subject to commission review. Such annexation shall not be prohibited by the existence of an established unincorporated area.”; and**

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Sater offered **SA 2:**

#### SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Bill No. 1126, Page 8, Section 79.050, Line 48, by inserting after all of said line the following:

“115.124. 1. Notwithstanding any other law to the contrary, in a nonpartisan election in any political subdivision or special district [except for] **including municipal elections in any city, town, or village with one thousand or fewer inhabitants that have adopted a proposal pursuant to subsection 3 of this section but excluding municipal elections in any city, town, or village with more than one thousand**

**inhabitants**, if the notice provided for in subsection 5 of section 115.127 has been published in at least one newspaper of general circulation **as defined in section 493.050** in the district, and if the number of candidates who have filed for a particular office is equal to the number of positions in that office to be filled by the election, no election shall be held for such office, and the candidates shall assume the responsibilities of their offices at the same time and in the same manner as if they had been elected. **If no election is held for such office as provided in this section, the election authority shall publish a notice containing the names of the candidates that shall assume the responsibilities of office under this section. Such notice shall be published in at least one newspaper of general circulation as defined in section 493.050 in such political subdivision or district by the first of the month in which the election would have occurred, had it been contested.** Notwithstanding any other provision of law to the contrary, if at any election the number of candidates filing for a particular office exceeds the number of positions to be filled at such election, the election authority shall hold the election as scheduled, even if a sufficient number of candidates withdraw from such contest for that office so that the number of candidates remaining after the filing deadline is equal to the number of positions to be filled.

2. The election authority or political subdivision responsible for the oversight of the filing of candidates in any nonpartisan election in any political subdivision or special district shall clearly designate where candidates shall form a line to effectuate such filings and determine the order of such filings; except that, in the case of candidates who file a declaration of candidacy with the election authority or political subdivision prior to 5:00 p.m. on the first day for filing, the election authority or political subdivision may determine by random drawing the order in which such candidates' names shall appear on the ballot. If a drawing is conducted pursuant to this subsection, it shall be conducted so that each candidate may draw a number at random at the time of filing. If such drawing is conducted, the election authority or political subdivision shall record the number drawn with the candidate's declaration of candidacy. If such drawing is conducted, the names of candidates filing on the first day of filing for each office on each ballot shall be listed in ascending order of the numbers so drawn.

**3. The governing body of any city, town, or village with one thousand or fewer inhabitants may submit to the voters at any available election, a question to adopt the provisions of subsection 1 of this section for municipal elections. If a majority of the votes cast by the qualified voters voting thereon are in favor of the question, then the city, town, or village shall conduct nonpartisan municipal elections as provided in subsection 1 of this section for all nonpartisan elections remaining in the year in which the proposal was adopted and for the six calendar years immediately following such approval. At the end of such six-year period, each such city, town, or village shall be prohibited from conducting such elections in such a manner unless such a question is again adopted by the majority of qualified voters as provided in this subsection.”; and**

Further amend the title and enacting clause accordingly.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Bill No. 1126, Page 10, Section 115.607, Line 73, by inserting after all of said line the following:

**“190.088. 1. A city of the fourth classification with more than two thousand seven hundred but**

fewer than three thousand inhabitants and located in any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants that is located partially within an ambulance district may file with the ambulance district's board of directors a notice of intention of detachment stating the city's intent that the area located within the city and the ambulance district, or a portion of such area, is to be excluded and taken from the district. The filing of a notice of intention of detachment must be authorized by ordinance. Such notice of intention of detachment shall describe the subject area to be excluded from the ambulance district in the form of a legal description and map.

2. After filing the notice of intention of detachment with the ambulance district, the city shall conduct a public hearing on the notice of intention of detachment and give notice by publication in a newspaper of general circulation qualified to publish legal matters in the county where the subject area is located, at least once a week for three consecutive weeks prior to the hearing, with the last notice being not more than twenty days and not less than ten days before the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing. At the public hearing, the city shall present its reasons why it desires to detach the subject area from the ambulance district and its plan to provide or cause to be provided ambulance services to the subject area.

3. Following the public hearing, the governing body of the city may approve the detachment of the subject area from the ambulance district by enacting an ordinance with two-thirds of all members of the legislative body of the city voting in favor of the ordinance.

4. Upon duly enacting such detachment ordinance, the city shall cause three certified copies of the same to be filed with the county assessor and the clerk of the county wherein the city is located and one certified copy to be filed with the election authority if different from the clerk of the county that has jurisdiction over the area being detached.

5. Upon the effective date of the ordinance, which may be up to one year from the date of its passage and approval, the ambulance district shall no longer provide or cause to be provided ambulance services to the subject area and shall no longer levy and collect any tax upon the property included within the detached area, provided that all real property excluded from an ambulance district shall thereafter be subject to the levy of taxes for the payment of any indebtedness of the ambulance district outstanding at the time of exclusion; provided that after any real property shall have been excluded from an ambulance district as provided under this section, any buildings and improvements thereafter erected or constructed on the excluded real property, all machinery and equipment thereafter installed or placed on the excluded real property, and all tangible personal property not in the ambulance district at the time of the exclusion of the subject area, shall not be subject to any taxes levied by the ambulance district.

6. The city shall also:

(1) On or before January first of the second calendar year after the date on which the property was detached from the ambulance district, pay to the ambulance district a fee equal to the amount of revenue that would have been generated during the previous calendar year by the ambulance district tax on the property in the area detached which was formerly part of the ambulance district;

(2) On or before January first of the third calendar year after the date on which the property was detached from the ambulance district, pay to the ambulance district a fee equal to four-fifths of the

amount of revenue that would have been generated during the previous calendar year by the ambulance district tax on the property in the area detached which was formerly a part of the ambulance district;

(3) On or before January first of the fourth calendar year occurring after the date on which the property was detached from the ambulance district, pay to the ambulance district a fee equal to three-fifths of the amount of revenue that would have been generated during the previous calendar year by the ambulance district tax on the property in the area detached which was formerly a part of the ambulance district;

(4) On or before January first of the fifth calendar year occurring after the date on which the property was detached from the ambulance district, pay to the ambulance district a fee equal to two-fifths of the amount of revenue that would have been generated during the previous calendar year by the ambulance district tax on the property in the area detached which was formerly a part of the ambulance district; and

(5) On or before January first of the sixth calendar year occurring after the date on which the property was detached from the ambulance district, pay to the ambulance district a fee equal to one-fifth of the amount of revenue that would have been generated during the previous calendar year by the ambulance district tax on the property in the area detached which was formerly a part of the ambulance district.

**7. The provisions of this section shall not apply to any county in which a boundary commission has been established under sections 72.400 to 72.423.”; and**

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Holsman offered **SA 4**:

**SENATE AMENDMENT NO. 4**

Amend Senate Committee Substitute for House Bill No. 1126, Page 9, Section 115.607, Line 28, by striking the word “Two” and inserting in lieu thereof the following: “**Three**”; and further amend said line, by striking the word “two” and inserting in lieu thereof the following: “**three**”; and further amend line 31, by striking the word “two” as it appears both times on said line and inserting in lieu thereof the following: “**three**”.

Senator Holsman moved that the above amendment be adopted, which motion prevailed.

Senator LeVota offered **SA 5**:

**SENATE AMENDMENT NO. 5**

Amend Senate Committee Substitute for House Bill No. 1126, Page 8, Section 79.050, Line 48, by inserting immediately after said line the following:

“115.353. All declarations of candidacy shall be filed as follows:

(1) For presidential elector, United States senator, representative in Congress, statewide office, circuit judge not subject to the provisions of article V, section 25 of the Missouri Constitution, state senator and state representative, in the office of the secretary of state;



(2) For all county offices which for the purpose of election procedures shall include associate circuit judges not subject to the provisions of article V, section 25 of the Missouri Constitution, in the office of the county election authority;

(3) For all county offices, in the office of the county election authority. In any county in which there [are two boards] **is a board** of election commissioners, the [county clerk] **board of elections** shall be deemed to be the election authority for purposes of this section.”; and

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 6**:

#### SENATE AMENDMENT NO. 6

Amend Senate Committee Substitute for House Bill No. 1126, Page 7, Section 77.030, Line 45, by inserting after all of said line the following:

“77.080. **1.** The style of the ordinances of the city shall be: “Be it ordained by the council of the city of ....., as follows: “No ordinance shall be passed except by bill, and no bill shall become an ordinance unless on its final passage a majority of the members elected to the council shall vote therefor, and the ayes and nays shall be entered on the journal. Every proposed ordinance shall be introduced to the council in writing and shall be read by title or in full two times prior to passage, both readings may occur at a single meeting of the council. If the proposed ordinance is read by title only, copies of the proposed ordinance shall be made available for public inspection prior to the time the bill is under consideration by the council. No bill shall become an ordinance until it shall have been signed by the officer presiding at the meeting of the council at which it shall have been passed. When so signed, it shall be delivered to the mayor for his approval and signature, or his veto.

**2. The provisions of this section shall not apply to ordinances proposed or passed under section 77.085.**

**77.085. 1.** Any proposed ordinance may be submitted to the council by petition signed by at least ten percent of the registered voters voting for mayor at the last municipal election. The petition shall contain, in addition to the requisite number of valid signatures, the full text of the ordinance sought to be passed and a request that the ordinance be submitted to a vote of the people if not passed by the council. Prior to distributing the petition for signatures, the proposed ordinance may be submitted to the city attorney for review. The city attorney may provide comments regarding the ordinance to the petitioners but shall return the comments no later than five business days of the request for review.

**2.** The signatures to the petition need not all be appended to one paper, but each signer shall add to his or her signature his or her place of residence, giving the street and number. One of the signers of each such paper shall make oath before an officer competent to administer oaths that the statements therein made are true as he or she believes and that each signature to the paper appended is the genuine signature of the person whose name it purports to be.

**3.** Within ten days from the date of filing such petition, the city clerk shall examine and ascertain whether the petition is signed by the requisite number of voters, and, if necessary, the council shall allow the clerk extra help for such purpose. The clerk shall attach a certificate of examination to the

petition. If by the clerk's certificate the petition is shown to be insufficient, the petition may be amended within ten days from the date of the issuance of the clerk's certificate. The clerk shall, within ten days after such amendment, make like examination of the amended petition. If the second certificate shows the petition to be insufficient, the petition shall be returned to the person filing it, without prejudice to the filing of a new petition to the same effect. If the petition is deemed to be sufficient, the clerk shall submit it to the council without delay.

**4. Upon receipt of the petition and certificate from the clerk, the council shall either:**

**(1) Pass said ordinance without alteration within twenty days after attachment of the clerk's certificate to the accompanying petition; or**

**(2) Submit the question without alteration to the voters at the next municipal election, or, if the petition has been signed by twenty-five percent or more of the registered voters voting for mayor at the last municipal election, the council shall immediately submit the question without alteration to the voters of the city.**

**5. The question shall be submitted in substantially the following form:**

**Shall the following ordinance be (adopted) (repealed)?**

**(Set out ordinance)**

**6. If a majority of the voters vote in favor thereof, such ordinance shall thereupon become a valid and binding ordinance of the city.**

**7. Any number of proposed ordinances may be voted upon at the same election, in accordance with the provisions of this section.**

**8. Any ordinance in effect that was proposed by petition cannot be repealed except by a vote of the people. The council may submit a proposition for the repeal of any such ordinance or for amendments thereto, to be voted upon at any municipal election; and should such proposition receive a majority of the votes cast thereon, such ordinance shall thereby be repealed or amended accordingly. The council may amend an ordinance proposed by petition without a vote of the people, but the original purpose of the ordinance may not be changed by such amendment.”; and**

Further amend said bill, page 8, section 79.050, line 48, by inserting after all of said line the following:

“79.130. **1.** The style of the ordinances of the city shall be: “Be it ordained by the board of aldermen of the city of ....., as follows:” No ordinance shall be passed except by bill, and no bill shall become an ordinance unless on its final passage a majority of the members elected to the board of aldermen shall vote for it, and the ayes and nays be entered on the journal. Every proposed ordinance shall be introduced to the board of aldermen in writing and shall be read by title or in full two times prior to passage, both readings may occur at a single meeting of the board of aldermen. If the proposed ordinance is read by title only, copies of the proposed ordinance shall be made available for public inspection prior to the time the bill is under consideration by the board of aldermen. No bill shall become an ordinance until it shall have been signed by the mayor or person exercising the duties of the mayor's office, or shall have been passed over the mayor's veto, as herein provided.

**2. The provisions of this section shall not apply to ordinances proposed or passed under section 79.135.**

**79.135. 1.** Any proposed ordinance may be submitted to the board of aldermen by petition signed by at least ten percent of the registered voters voting for mayor at the last municipal election. The petition shall contain, in addition to the requisite number of valid signatures, the full text of the ordinance sought to be passed and a request that the ordinance be submitted to a vote of the people if not passed by the board of aldermen. Prior to distributing the petition for signatures, the proposed ordinance may be submitted to the city attorney for review. The city attorney may provide comments regarding the ordinance to the petitioners but shall return the comments no later than five business days of the request for review.

**2.** The signatures to the petition need not all be appended to one paper, but each signer shall add to his or her signature his or her place of residence, giving the street and number. One of the signers of each such paper shall make oath before an officer competent to administer oaths that the statements therein made are true as he or she believes and that each signature to the paper appended is the genuine signature of the person whose name it purports to be.

**3.** Within ten days from the date of filing such petition, the city clerk shall examine and ascertain whether the petition is signed by the requisite number of voters, and, if necessary, the board of aldermen shall allow the clerk extra help for such purpose. The clerk shall attach a certificate of examination to the petition. If by the clerk's certificate the petition is shown to be insufficient, the petition may be amended within ten days from the date of the issuance of the clerk's certificate. The clerk shall, within ten days after such amendment, make like examination of the amended petition. If the second certificate shows the petition to be insufficient, the petition shall be returned to the person filing it, without prejudice to the filing of a new petition to the same effect. If the petition is deemed to be sufficient, the clerk shall submit it to the board of aldermen without delay.

**4.** Upon receipt of the petition and certificate from the clerk, the board of aldermen shall either:

**(1)** Pass said ordinance without alteration within twenty days after attachment of the clerk's certificate to the accompanying petition; or

**(2)** Submit the question without alteration to the voters at the next municipal election, or, if the petition has been signed by twenty-five percent or more of the registered voters voting for mayor at the last municipal election, the board of aldermen shall immediately submit the question without alteration to the voters of the city.

**5.** The question shall be submitted in substantially the following form:

Shall the following ordinance be (adopted) (repealed)?

(Set out ordinance)

**6.** If a majority of the voters vote in favor thereof, such ordinance shall thereupon become a valid and binding ordinance of the city.

**7.** Any number of proposed ordinances may be voted upon at the same election, in accordance with the provisions of this section.

**8.** Any ordinance in effect that was proposed by petition cannot be repealed except by a vote of the people. The board of aldermen may submit a proposition for the repeal of any such ordinance or for amendments thereto, to be voted upon at any municipal election; and should such proposition receive a majority of the votes cast thereon, such ordinance shall thereby be repealed or amended

**accordingly. The board of aldermen may amend an ordinance proposed by petition without a vote of the people, but the original purpose of the ordinance may not be changed by such amendment.**

80.110. 1. No ordinance shall be passed except by bill, and no bill shall become an ordinance unless on its passage a majority of all the members of the board of trustees vote therefor, and the yeas and nays be entered upon the journal; every proposed ordinance shall be introduced to the board of trustees in writing and shall be read by title or in full two times prior to passage, both readings may occur at a single meeting of the board of trustees. If the proposed ordinance is read by title only, copies of the proposed ordinance shall be made available for public inspection prior to the time the bill is under consideration by the board of trustees. All ordinances shall be in full force and effect from and after their passage after being duly signed by the chairman of the board of trustees and attested by the village clerk.

**2. The provisions of this section shall not apply to ordinances proposed or passed under section 80.115.**

80.115. 1. Any proposed ordinance may be submitted to the board of trustees by petition signed by at least ten percent of the registered voters in the town or village voting at the last municipal election. The petition shall contain, in addition to the requisite number of valid signatures, the full text of the ordinance sought to be passed and a request that the ordinance be submitted to a vote of the people if not passed by the board of trustees. Prior to distributing the petition for signatures, the proposed ordinance may be submitted to an attorney for the town or village for review. The attorney may provide comments regarding the ordinance to the petitioners but shall return the comments no later than five business days of the request for review.

2. The signatures to the petition need not all be appended to one paper, but each signer shall add to his or her signature his or her place of residence, giving the street and number. One of the signers of each such paper shall make oath before an officer competent to administer oaths that the statements therein made are true as he or she believes and that each signature to the paper appended is the genuine signature of the person whose name it purports to be.

3. Within ten days from the date of filing such petition, the town or village clerk shall examine and ascertain whether the petition is signed by the requisite number of voters, and, if necessary, the board of trustees shall allow the clerk extra help for such purpose. The clerk shall attach a certificate of examination to the petition. If by the clerk's certificate the petition is shown to be insufficient, the petition may be amended within ten days from the date of the issuance of the clerk's certificate. The clerk shall, within ten days after such amendment, make like examination of the amended petition. If the second certificate shows the petition to be insufficient, the petition shall be returned to the person filing it, without prejudice to the filing of a new petition to the same effect. If the petition is deemed to be sufficient, the clerk shall submit it to the board of trustees without delay.

4. Upon receipt of the petition and certificate from the clerk, the board of trustees shall either:

(1) Pass said ordinance without alteration within twenty days after attachment of the clerk's certificate to the accompanying petition; or

(2) Submit the question without alteration to the voters at the next municipal election, or, if the petition has been signed by twenty-five percent or more of the registered voters voting at the last municipal election, the board of trustees shall immediately submit the question without alteration to the voters of the town or village.

**5. The question shall be submitted in substantially the following form:**

**Shall the following ordinance be (adopted) (repealed)?**

**(Set out ordinance)**

**6. If a majority of the voters vote in favor thereof, such ordinance shall thereupon become a valid and binding ordinance of the town or village.**

**7. Any number of proposed ordinances may be voted upon at the same election, in accordance with the provisions of this section.**

**8. Any ordinance in effect that was proposed by petition cannot be repealed except by a vote of the people. The board of trustees may submit a proposition for the repeal of any such ordinance or for amendments thereto, to be voted upon at any municipal election; and should such proposition receive a majority of the votes cast thereon, such ordinance shall thereby be repealed or amended accordingly. The board of trustees may amend an ordinance proposed by petition without a vote of the people, but the original purpose of the ordinance may not be changed by such amendment.**

**81.015. 1. Any proposed ordinance may be submitted to the governing body of the city or town under special charter by petition signed by at least ten percent of the registered voters voting in the city or town at the last municipal election. The petition shall contain, in addition to the requisite number of valid signatures, the full text of the ordinance sought to be passed and a request that the ordinance be submitted to a vote of the people if not passed by the governing body. Prior to distributing the petition for signatures, the proposed ordinance may be submitted to an attorney for the city or town for review. The attorney may provide comments regarding the ordinance to the petitioners but shall return the comments no later than five business days of the request for review.**

**2. The signatures to the petition need not all be appended to one paper, but each signer shall add to his or her signature his or her place of residence, giving the street and number. One of the signers of each such paper shall make oath before an officer competent to administer oaths that the statements therein made are true as he or she believes and that each signature to the paper appended is the genuine signature of the person whose name it purports to be.**

**3. Within ten days from the date of filing such petition, the appropriate officer of the city or town shall examine and ascertain whether the petition is signed by the requisite number of voters, and, if necessary, the governing body of the city or town shall allow the officer extra help for such purpose. The officer shall attach a certificate of examination to the petition. If by the officer's certificate the petition is shown to be insufficient, the petition may be amended within ten days from the date of the issuance of the officer's certificate. The officer shall, within ten days after such amendment, make like examination of the amended petition. If the second certificate shows the petition to be insufficient, the petition shall be returned to the person filing it, without prejudice to the filing of a new petition to the same effect. If the petition is deemed to be sufficient, the officer shall submit it to the governing body of the city or town without delay.**

**4. Upon receipt of the petition and certificate from the officer, the governing body shall either:**

**(1) Pass said ordinance without alteration within twenty days after attachment of the officer's certificate to the accompanying petition; or**

**(2) Submit the question without alteration to the voters at the next municipal election, or, if the**

petition has been signed by twenty-five percent or more of the registered voters in the city or town voting at the last municipal election, the governing body shall immediately submit the question without alteration to the voters of the city or town.

**5. The question shall be submitted in substantially the following form:**

**Shall the following ordinance be (adopted) (repealed)? (Set out ordinance)**

**6. If a majority of the voters vote in favor thereof, such ordinance shall thereupon become a valid and binding ordinance of the city or town.**

**7. Any number of proposed ordinances may be voted upon at the same election, in accordance with the provisions of this section.**

**8. Any ordinance in effect that was proposed by petition cannot be repealed except by a vote of the people. The governing body of the city or town may submit a proposition for the repeal of any such ordinance or for amendments thereto, to be voted upon at any municipal election; and should such proposition receive a majority of the votes cast thereon, such ordinance shall thereby be repealed or amended accordingly. The governing body of the city or town may amend an ordinance proposed by petition without a vote of the people, but the original purpose of the ordinance may not be changed by such amendment.**

**82.033. 1. Any proposed ordinance may be submitted to the governing body of a constitutional charter city by petition signed by at least ten percent of the registered voters voting in the city at the last municipal election. The petition shall contain, in addition to the requisite number of valid signatures, the full text of the ordinance sought to be passed and a request that the ordinance be submitted to a vote of the people if not passed by the governing body. Prior to distributing the petition for signatures, the proposed ordinance may be submitted to the city attorney for review. The city attorney may provide comments regarding the ordinance to the petitioners but shall return the comments no later than five business days of the request for review.**

**2. The signatures to the petition need not all be appended to one paper, but each signer shall add to his or her signature his or her place of residence, giving the street and number. One of the signers of each such paper shall make oath before an officer competent to administer oaths that the statements therein made are true as he or she believes and that each signature to the paper appended is the genuine signature of the person whose name it purports to be.**

**3. Within ten days from the date of filing such petition, the appropriate officer of the city shall examine and ascertain whether the petition is signed by the requisite number of voters, and, if necessary, the governing body of the city shall allow the officer extra help for such purpose. The officer shall attach a certificate of examination to the petition. If by the officer's certificate the petition is shown to be insufficient, the petition may be amended within ten days from the date of the issuance of the officer's certificate. The officer shall, within ten days after such amendment, make like examination of the amended petition. If the second certificate shows the petition to be insufficient, the petition shall be returned to the person filing it, without prejudice to the filing of a new petition to the same effect. If the petition is deemed to be sufficient, the officer shall submit it to the governing body of the city without delay.**

**4. Upon receipt of the petition and certificate from the officer, the governing body shall either:**

(1) Pass said ordinance without alteration within twenty days after attachment of the officer's certificate to the accompanying petition; or

(2) Submit the question without alteration to the voters at the next municipal election, or, if the petition has been signed by twenty-five percent or more of the registered voters in the city voting at the last municipal election, the governing body shall immediately submit the question without alteration to the voters of the city.

5. The question shall be submitted in substantially the following form:

Shall the following ordinance be (adopted) (repealed)? (Set out ordinance)

6. If a majority of the voters vote in favor thereof, such ordinance shall thereupon become a valid and binding ordinance of the city.

7. Any number of proposed ordinances may be voted upon at the same election, in accordance with the provisions of this section.

8. Any ordinance in effect that was proposed by petition cannot be repealed except by a vote of the people. The governing body may submit a proposition for the repeal of any such ordinance or for amendments thereto, to be voted upon at any municipal election; and should such proposition receive a majority of the votes cast thereon, such ordinance shall thereby be repealed or amended accordingly. The governing body may amend an ordinance proposed by petition without a vote of the people, but the original purpose of the ordinance may not be changed by such amendment.”; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted.

At the request of Senator Kraus, **HB 1126**, with **SCS** and **SA 6** (pending), was placed on the Informal Calendar.

**HB 1238**, introduced by Representative Hinson, with **SCS**, entitled:

An Act to repeal section 488.426, RSMo, and to enact in lieu thereof one new section relating to court filing fees.

Was taken up by Senator Dixon.

**SCS** for **HB 1238**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1238

An Act to repeal sections 488.012, 488.426, and 488.607, RSMo, and to enact in lieu thereof four new sections relating to court costs.

Was taken up.

Senator Dixon moved that **SCS** for **HB 1238** be adopted.

Senator Dixon offered **SA 1**, which was read:

## SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 1238, Page 5, Section 488.2206, Line 21, by inserting at the end of said line the following: **“land assemblage and purchase,”**.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Justus offered **SA 2**:

## SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Bill No. 1238, Page 5, Section 488.2206, Line 28, by inserting after all of said line the following:

**“488.2235. 1. In addition to all other court costs for municipal ordinance violations, any home rule city with more than four hundred thousand inhabitants and located in more than one county may provide for additional court costs in an amount up to five dollars per case for each municipal ordinance violation case filed before a municipal division judge or associate circuit judge.**

**2. The judge may waive the assessment of the cost in those cases where the defendant is found by the judge to be indigent and unable to pay the costs.**

**3. Such cost shall be collected by the clerk and disbursed to the city at least monthly. The city shall use such additional costs only for the restoration, maintenance and upkeep of the municipal courthouse. The costs collected may be pledged to directly or indirectly secure bonds for the cost of restoration, maintenance and upkeep of the courthouse.**

**4. The provisions of this section shall expire August 28, 2021.”; and**

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Dixon moved that **SCS for HB 1238**, as amended, be adopted, which motion prevailed.

On motion of Senator Dixon, **SCS for HB 1238**, as amended, was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	LeVota	Libla	Munzlinger	Nasheed	Parson
Pearce	Richard	Romine	Sater	Schaefer	Schmitt	Sifton	Silvey
Wallingford	Walsh	Wasson—27					

## NAYS—Senators

Kraus	Lager	Lamping	Nieves	Schaaf—5
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President Pro tem declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.



Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS for HB 1710**, entitled:

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to refund donations to the Missouri national guard foundation fund.

Was taken up by Senator Kraus.

On motion of Senator Kraus, **HCS for HB 1710** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Schmitt—1

Absent with leave—Senators—None

Vacancies—2

The President Pro Tem declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS for HB 1237**, entitled:

An Act to repeal section 143.183, RSMo, and to enact in lieu thereof one new section relating to nonresident entertainer income taxes.

Was taken up by Senator Schaaf.

On motion of Senator Schaaf, **HCS for HB 1237** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Schmitt—1

Absent with leave—Senators—None

Vacancies—2

The President Pro Tem declared the bill passed.

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS for HB 2040**, entitled:

An Act to amend chapter 190, RSMo, by adding thereto one new section relating to drug overdose treatment.

Was taken up by Senator Brown.

On motion of Senator Brown, **HCS for HB 2040** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Schmitt—1

Absent with leave—Senators—None

Vacancies—2

The President Pro Tem declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SS for HB 1361**, as amended: Senators Parson, Wallingford, Munzlinger, Curls and Walsh.

### **RESOLUTIONS**

Senator Nasheed offered Senate Resolution No. 1983, regarding Steven L. Harman, which was adopted.

Senator Wasson offered Senate Resolution No. 1984, regarding Hosea Bilyeu, which was adopted.

**INTRODUCTIONS OF GUESTS**

Senator Schaaf introduced to the Senate, Ellis Cross, St. Joseph.

Senator Lamping introduced to the Senate, the Physician of the Day, Christopher “Kit” Young, M.D., St. Louis.

Senator Schaefer introduced to the Senate, Dean Joan Gabel, Associate Dean Mary Beth Marrs, Ashley Burden and students with MU College of Business.

On behalf of Senator Kraus, the President introduced to the Senate, fourth grade students from Pleasant Lea Elementary School, Lee’s Summit; and Lillian Holloran was made an honorary page.

Senator Walsh introduced to the Senate, Adam Gibbons, Florissant.

Senator Walsh introduced to the Senate, teachers Mrs. Grun, Mrs. Rechtien and Mrs. Austin and fifty-four seventh and eighth grade students from St. Rose Philippine Duchesne, Florissant; and Camille Morgan and Franklin Morris were made honorary pages.

On behalf of Senator Schaaf and himself, Senator Lager introduced to the Senate, Kyle, Tia, Gracie, Claire and Lily Phillips, St. Joseph; and Gracie, Claire and Lily were made honorary pages.

Senator Pearce introduced to the Senate, Cathy Akridge, Christine Breakfield, Carolyn Skelton, Jessica Myers and Brenda Roling, representatives of Missouri Dietitians.

Senator Schmitt introduced to the Senate, his wife, Jaime, and daughters, Sophia and Olivia, Glendale; and Sophia and Olivia were made honorary pages.

On motion of Senator Richard, the Senate adjourned under the rules.

**SENATE CALENDAR**  

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SIXTY-FIRST DAY–THURSDAY, MAY 1, 2014

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**FORMAL CALENDAR****HOUSE BILLS ON SECOND READING**

HB 1792-Fitzwater, et al

**THIRD READING OF SENATE BILLS**

SS for SCS for SB 666-Schmitt (In  
Fiscal Oversight)

SS for SCS for SB 850-Munzlinger (In  
Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- |                                  |                                  |
|----------------------------------|----------------------------------|
| 1. SB 858-Kraus                  | 7. SBs 798 & 514-Emery, with SCS |
| 2. SB 669-Schaaf                 | 8. SB 865-Nieves                 |
| 3. SB 821-Schaefer               | 9. SB 619-Nieves, with SCS       |
| 4. SB 823-Dixon, et al, with SCS | 10. SB 531-Nasheed               |
| 5. SB 973-Brown                  | 11. SB 820-Schaefer              |
| 6. SB 815-Pearce, with SCS       |                                  |

HOUSE BILLS ON THIRD READING

- |   |  |
|---|--|
| 1. HB 1430-Jones (110), et al (Schaaf)          | 17. HCS for HBs 1735 & 1618, with SCS (Kraus)  |
| 2. HB 1092-Lant, et al, with SCS (Dixon)        | 18. HCS for HB 1389 (Pearce)                   |
| 3. HB 1184-Grisamore (Justus)                   | 19. HCS for HB 1189, with SCA 1 (Kehoe)        |
| 4. HCS for HB 1217, with SCS (Cunningham)       | 20. HB 1206-Wilson (Pearce)                    |
| 5. HCS for HRB 1299, with SCS (Lager)           | 21. HB 1270-Lant, et al, with SCS (Cunningham) |
| 6. HB 1359-Flanigan (Kehoe)                     | 22. HCS for HB 1300 (Schaefer)                 |
| 7. HCS for HB 1631, with SCS (Lager)            | 23. HB 1617-Rehder, et al, with SCS (Brown)    |
| 8. HB 1390-Thomson, et al, with SCS (Pearce)    | 24. HCS for HB 1296, with SCS (Kraus)          |
| 9. HB 1506-Franklin, et al (Brown)              | 25. HB 1190-Kelley (127), et al, with SCS      |
| 10. HCS for HBs 1307 & 1313, with SCS (Sater)   | (Kehoe)  |
| 11. HB 1455-Hoskins and Fraker (Kraus)          | 26. HCS for HB 1090 (Munzlinger)               |
| 12. HCS for HB 1779, with SCS (Schaaf)          | 27. HB 1651-Fraker (Cunningham)                |
| 13. HB 1603-Conway and Kratky (Schaaf)          | 28. HB 1073-Dugger, et al                      |
| 14. HCS for HB 1557 (Munzlinger)                | 29. HCS for HB 2238, with SCS (In Fiscal       |
| 15. HCS for HB 1514, with SCS (Parson)          | Oversight)                                     |
| 16. HB 1791-Fitzwater, et al, with SCS (Romine) |  |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- |  |   |
|--|---|
| SB 490-Lager and Kehoe, with SCS       | SS for SB 543-Munzlinger                  |
| SB 494-Pearce, with SS (pending)       | SB 550-Sater, with SCS                    |
| SB 501-Keaveny                         | SB 553-Emery, with SCS, SS for SCS & SA 1 |
| SB 518-Sater, with SCS, SA 2 & SA 1 to | (pending)                                 |
| SA 2 (pending)                         | SB 555-Nasheed, with SS & SA 1 (pending)  |
| SB 519-Sater, with SS & SA 1 (pending) | SB 566-Sifton                             |
| SB 538-Keaveny and Holsman             | SB 573-Munzlinger, with SCS               |

SB 578-Kraus  
 SB 589-Brown, with SCS, SA 2 & SA 1 to  
   SA 2 (pending)  
 SB 617-Parson, with SCS, SS for SCS & SA 1  
   (pending)  
 SB 634-Parson, with SCS  
 SB 641-Emery  
 SB 644-LeVota  
 SB 659-Wallingford, with SCS  
 SB 663-Munzlinger, with SCS  
 SB 671-Sater  
 SB 712-Walsh, with SCS & SS for SCS  
   (pending)  
 SB 724-Parson  
 SB 739-Romine, with SCS, SS for SCS, SA 1 &  
   SA 1 to SA 1 (pending)  
 SB 755-Wallingford  
 SB 762-Schaefer, with SCS  
 SB 769-Pearce, with SCS  
 SB 770-Wallingford, with SCS

SBs 787 & 804-Justus, with SCS  
 SB 790-Dixon  
 SB 814-Brown  
 SB 819-Wallingford, with SCS  
 SB 830-Parson  
 SBs 836 & 800-Munzlinger, with SCS  
 SB 846-Richard  
 SB 848-LeVota, with SCS  
 SB 875-Sater, with SCS  
 SB 887-Schaefer  
 SB 888-Parson, with SCS  
 SB 912-Wasson and Justus, with SCS  
   (pending)  
 SB 919-Justus  
 SB 966-Lager  
 SJR 25-Lager, with SS, SA 2 & SA 1 to SA 2  
   (pending)  
 SJR 26-Lager, with SS & SA 1 (pending)  
 SJR 34-Emery  
 SJR 42-Schmitt, with SS (pending)

#### HOUSE BILLS ON THIRD READING

HB 1126-Dugger and Entlicher, with SCS &  
   SA 6 (pending) (Kraus)  
 HB 1173-Burlison, et al, with SA 1 & SA 1  
   to SA 1 (pending) (Brown)  
 HCS for HB 1295, with SCS (Kraus)  
 HB 1490-Bahr, et al, with SCS, SS for  
   SCS & SA 17 (pending) (Emery)

HB 1495-Torpey and Hicks, with SCS & SS  
   for SCS (pending) (Dixon)  
 HCS for HB 1501, with SS (pending)  
   (Schmitt)  
 HCS for HB 1729 (Parson)  
 HCS for HJR 47 (Kraus)  
 HJR 72-Richardson, et al (Silvey)

#### CONSENT CALENDAR

##### House Bills

Reported 4/15

HCS for HB 1510 (Brown)  
 HB 1724-Davis and Lynch (Brown)

HB 1081-McCaherty, et al (Romine)

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SB 525-Cunningham, with HCS, as amended

SCS for SB 526-Cunningham, with HA 1, HA 2, HA 3, as amended, HA 4, as amended, HA 5 & HA 6

SB 600-Sater, with HCS, as amended

SB 606-Dixon, with HCS

SCS for SB 672-Parson, with HCS, as amended

SS for SB 694-Cunningham, with HCS  
SB 701-Lager, with HA 1, HA 3 & HA 4

SCS for SB 716-Brown, with HCS, as amended

SCS for SB 808-Wasson, with HCS, as amended

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

In Conference

HB 1361-Gosen and Wieland, with SS, as amended (Parson)

Requests to Recede or Grant Conference

SCS for SB 612-Schaaf, with HA 1, HA 2, HA 3, HA 4 & HA 5 (Senate requests House recede or grant conference)

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# Journal of the Senate

SECOND REGULAR SESSION

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**SIXTY-FIRST DAY—THURSDAY, MAY 1, 2014**

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The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“We give thanks to you, O God; we give thanks; your name is near.” (Psalm 75:1)

Heavenly Father, we do give You thanks for all that You continue to provide us especially those You have given us to love. We are thankful for our work and the opportunities to serve here and at home. We thank You for our spouse who cares for our home and cares for what is required of us and makes it possible for us to be here. We ask a special blessing on them and again give thanks and praise for all we receive from Your gracious hand. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

President Kinder assumed the Chair.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Richard offered Senate Resolution No. 1985, regarding Armando Alberto, which was adopted.

Senator LeVota offered Senate Resolution No. 1986, regarding Cheryl Harness, which was adopted.

Senator Dempsey offered Senate Resolution No. 1987, regarding Harlan H. Schutte, O'Fallon, which was adopted.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SBs 493, 485, 495, 516, 534, 545, 595, 616, and 624**, entitled:

An Act to repeal repeal sections 160.011, 160.041, 160.400, 160.405, 160.415, 160.417, 162.081, 162.1250, 163.021, 163.036, 163.073, 163.172, 163.410, 167.131, 171.029, 171.031, 171.033, 177.011, and 177.088, RSMo, and to enact in lieu thereof forty-three new sections relating to elementary and secondary education, with an emergency clause and an effective date for certain sections.

With House Amendment No. 1 to House Amendment No. 1, House Amendment No. 2 to House Amendment No. 1, House Amendment No. 1, as amended, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5, as amended, House Amendment No. 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7, as amended, House Amendment Nos. 8, 9 and 10.

**HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 1**

Amend House Amendment No. 1 to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 1, Line 5 of said amendment, by inserting after all of said line the following:

“Further amend said bill, Page 47, Section 167.827, Lines 32 to 35, by deleting all of said lines and inserting in lieu thereof the following:

**“(3) Length of residence in the district; and**

**(4) Distance and travel time to a receiving school.**

**The education authority shall not consider student academic performance, free and reduced lunch status, or athletics in assigning a student to a school.”; “; and**

Further amend said amendment and page, Line 12 of said amendment, by inserting after all of said line the following:

“Further amend said bill and section, Page 48, Line 22, by deleting the word **“and”** and inserting after all of said line the following:

**“(6) For all students enrolled in the school under the nonsectarian option set forth in section 167.826, complies with the following statutes and any regulations promulgated thereunder by the**



department of elementary and secondary education: 43.408, 43.540, 160.041, 160.045, 160.257, 160.261, 160.262, 160.263, 160.518 for state assessments, the cost of which shall be paid consistent with the manner in which they are paid for students in public schools, 160.522, 160.539, 160.570, 160.660, 160.775, 160.1990, 161.850, 161.102, 161.650, 162.014, 162.068, 162.069, 162.208, 162.215, 162.401, 162.670, 162.720, subdivisions (1) to (3) of 162.821, 162.1250, 162.995, 162.1125, subdivisions (1) and (2) of subsection 1 of 163.021 for eligibility to receive local funds but compliance with these sections shall not make nonsectarian private schools eligible to receive state funding under 163.031, 167.018, 167.019, 167.020, 167.022, 167.023, 167.031, 167.115, 167.117, 167.122, 167.123, 167.161, 167.166, 167.171, 167.181, 167.191, 167.208, 167.211, 167.227, 167.268, 167.275, 167.280, 167.621 to 167.635, 167.645, 167.700, 167.720, 167.765, 170.005, 170.011, 170.051, 170.315, 170.340, 171.021, 171.031 to 171.033, 171.053, 171.151, 171.171, 178.530, 182.815, 182.817, 191.765 to 191.777, 210.003, 210.110, 210.115, 210.145, 210.150, 210.165, 210.167, 210.760, 210.865, 211.032, 211.034, 211.181, 211.185, 211.188, 320.010, 452.375, 452.376, and 544.193. Nothing in this subdivision shall be construed to exempt the nonsectarian private school from other statutes and regulations which applied to the nonsectarian schools as of January 1, 2014;

(7) Furnishes to the department of elementary and secondary education all necessary data for the calculation of an annual performance report score, which the department shall calculate for each participating nonsectarian private school. At the option of the nonsectarian private school, such score shall be based upon only the records pertaining to students enrolled in the school through the transfer program or for all students if the school chooses to administer state testing to all students;

(8) Where applicable, contracts with a special school district to provide special education services to eligible students on the same terms as public schools, and the costs associated with the services shall be paid in the same manner;

(9) Certifies to the department of elementary and secondary education and to the unaccredited district that it shall accept the tuition amount specified in subsection 2 of this section as payment in full for the transfer student and shall not require the parent or guardian to pay any additional amount for tuition; and “; and

Further amend said bill, section, and page, Line 23, by renumbering subdivision (6) as (10); and” ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO  
HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624 Page 2, Line 16 of said amendment by deleting all of said line and inserting in lieu thereof the following:

“proposal.

7. When the percentage of transfer students at a nonsectarian private school receiving transfer students under this section reaches twenty-five percent of the school's enrollment, the school shall conform to the Missouri school improvement program performance standards to continue its eligibility for the program under this section.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

## HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 33, Section 163.021, Line 30, by inserting immediately after the word **“education”** the following:

**“when the use of such funds is approved by the voters of the district under subsection 6 of section 167.828”**; and

Further amend said bill, Page 47, Section 167.828, Line 1, by inserting immediately after the word **“district”** the following:

**“located in any city not within a county, any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, or in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants”**; and

Further amend said bill and section, Page 48, Line 23, by inserting immediately after the word **“education”** the following:

**“, the appropriate education authority, and the unaccredited district”** ; and

Further amend said bill, page, and section, Line 29, by adding after all of said line the following:

**“6. (1) This section shall become effective only after the governing body of the unaccredited school district specified in subsection 1 of this section submits to the voters residing within the district at a general election a proposal to authorize the governing body to use local operating funds for school purposes to pay tuition at a nonsectarian private school for students assigned to an unaccredited school in the district under sections 167.826 to 167.828 and such proposal is approved by the voters of the district as provided in this subsection. The governing body of the school district shall submit the proposal to the voters of the district at the next general election after the decision of the state board of education declaring the district unaccredited for which the deadline for submission of such ballot proposals is open. The ballot proposal presented to the local voters shall contain substantially the following language:**

**Shall the (school district’s name) allow the use of the district’s local operating funds for school purposes to pay tuition at nonsectarian private schools for students who are assigned to an unaccredited public school in the district and who apply to transfer to nonsectarian private schools under section 167.828, RSMo.?**

☐ YES

☐ NO

**If a majority of the votes cast on the question by the qualified voters voting thereon is in favor of the question, this section shall become effective in that district the next school year. If a majority of the votes cast on the question by the qualified voters voting thereon is opposed to the question, this section shall not become effective unless and until the proposal is resubmitted under this subsection to the qualified voters at a general election and such proposal is approved by a majority of the qualified voters voting on the proposal.**

**(2) Whenever the governing body of a school district specified in subsection 1 of this section that**

has not authorized the use of its local operating funds for school purposes as provided in this subsection receives a petition from a nonsectarian private school, signed by the school's chief operating officer, calling for an election to authorize the use of local operating funds for school purposes to pay tuition at a private nonsectarian school under this subsection, the governing body shall submit to the voters a proposal to authorize such use of funds at the next general election for which the deadline for submission of such ballot proposals is open. If a majority of the votes cast on the question by the qualified voters voting thereon is in favor of the proposal, this section shall become effective in that district the next school year. If a majority of the votes cast on the proposal by the qualified voters voting thereon is opposed to the proposal, this section shall not become effective unless and until the proposal is resubmitted under this subsection to the qualified voters at a general election and such proposal is approved by a majority of the qualified voters voting on the proposal.” ; and

Further amend said bill, Page 56, Section 167.848, Line 18, by deleting all of said line and inserting in lieu thereof the following:

**“educational services, and that is not disqualified from accepting public funds by any provision of the Missouri or United States constitutions;” ; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 1, Line 6 of said amendment, by deleting all of said line and inserting in lieu thereof the following:

“Further amend said bill, Page 24, Section 161.086, Line 11, by inserting after all of said line the following:

**“3. The state board of education may classify a district as provisionally accredited if the district is classified as unaccredited and has demonstrated three successive years of improvement, provided that at least two of the three years most recent annual performance reports are consistent with provisionally accredited status and the district demonstrates sound governance and financial solvency.”; and**

Further amend said bill by renumbering subsequent subsections accordingly; and

Further amend said bill, page and section, Line 14, by inserting immediately after the word”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 2, Section 160.011, Line 42, by deleting all of said line and inserting in lieu thereof the following:

**“thousand forty-four hours and as of school year 2015-16, one thousand eighty hours ;” and**

Further amend said bill, Page 24, Section 161.086, Line 14, by inserting immediately after the word **“education”** the following:

**“, to underperforming districts,”**; and

Further amend said bill and section, Page 25, Line 19, by inserting immediately after the word **“parent”** the following:

**“of a student in the district; the department staff member assigned to the region of the district may be included in the activities of the team but shall not be assigned formally to a team”**; and

Further amend said bill, page, and section, Line 24, by inserting immediately after the word **“provisional”** the following:

**“, underperforming,”** ; and

Further amend said bill, page, and section, Line 26, by deleting the word **“percentage”** and inserting in lieu thereof the following:

**“performance”**; and

Further amend said bill, page, and section, Line 28, by inserting immediately after the word **“borderline”** the following:

**“or underperforming”**; and

Further amend said bill, page and section, Lines 32 to 33, by deleting all of said lines and inserting in lieu thereof the following:

**“4. The proportion of schools that”** ; and

Further amend said bill, Page 25, Section 161.238, Line 6, by adding immediately after the word **“centers”** the following:

**“, as defined in section 167.848,”**; and

Further amend said bill, Page 27, Section 162.081, Line 32, by deleting the word **“One”** and inserting in lieu thereof the following:

**“At least one”**; and

Further amend said bill, page, and section, Lines 41 to 44, by deleting all of said lines and inserting in lieu thereof the following:

**“officer of the school district or a subset of schools and to have all powers and duties of any other general superintendent of schools in a seven-director school district. Nothing in this section shall be construed to permit either the state board of education or a special administrative board to raise, in any way not specifically allowed by law, the tax levy of the district or any part of the district without a vote of the people. Any special administrative board appointed under this section shall be responsible for the operation of the district or part of the district until such time that the district or part of the district is classified by the state board of education as provisionally accredited for at least”**; and

Further amend said bill and section, Page 29, Line 114, by adding after all of said line the following:

**“10. The provisions of subsection 9 of this section shall not apply to any school district solely on the basis of financial difficulty resulting from paying tuition and providing transportation for students in a transfer program under sections 167.825 to 167.828.”; and**

Further amend said bill, Page 32, Section 162.1310, Lines 4 to 6, by deleting all of said lines and inserting in lieu thereof the following:

**“notice shall include an explanation of which students may be eligible to transfer, the transfer process under sections 167.826 to 167.828, and any services students may be entitled to”; and**

Further amend said bill, Page 40, Section 167.685, Line 12, by inserting immediately after the word **“disbursements”** the following:

**“of public money”; and**

Further amend said bill, page and section, Line 14, by inserting immediately after the word **“education”** the following:

**“and shall make disbursement of private funds according to the directions of the donor; if the donor did not specify how the private funds were to be disbursed, the state treasurer shall contact the donor to determine the manner of disbursement”; and**

Further amend said bill, Page 41, Section 167.687, Line 2, by inserting immediately after the word **“actions”** the following:

**“, including but not limited to”; and**

Further amend said bill, Page 43, Section 167.826, Line 3, by deleting the words **“district originally created”** and inserting in lieu thereof the following:

**“seven-director, urban, or metropolitan district”; and**

Further amend said bill, page, and section, Lines 8 and 9, by deleting all of said lines and inserting in lieu thereof the following:

**“or an adjoining county, to a charter school located in the same district, or to a nonsectarian private school located in the same district as provided in sections 167.826 to 167.828. A” ; and**

Further amend said bill, page, and section, Line 12, by deleting the word **“accredited”** and inserting in lieu thereof the following:

**“unaccredited” ; and**

Further amend said bill and section, Page 44, Line 28, by deleting all of said line and inserting in lieu thereof the following:

**“3. For a receiving district, no acceptance of a transfer student shall require any of the following actions, unless the board of education of the receiving district has approved the action:” ; and**

Further amend said bill, page, and section, Line 38, by deleting all of said line and inserting in lieu thereof the following:

**“education.” ; and**

Further amend said bill and section, Page 45, Line 60, by inserting immediately after the word **“total”** the following:

**“under subdivision (1) of this subsection” ; and**

Further amend said bill, page, and section, Lines 70 to 78, by deleting all of said lines and inserting in lieu thereof the following:

**“6. Each potential receiving district shall have the right to establish by objective means and adopt a policy for class size and student-teacher ratios under subsection 3 of this section and shall report its policy to the state board of education for its review. A policy may allow for estimated growth in the resident student population. If a district adopts such a policy, it shall submit the policy to the state board of education, which shall approve the policy unless it finds that the district's policy is unduly restrictive to student transfers, in which case the board may limit or revise the implementation of the district's policy. Upon the state board's approval of the policy, the district shall not be required to accept any transfer students under this section that would violate its class size or student-teacher ratio policy. The state board of education's decision shall be final.”; and**

Further amend said bill, Page 46, Section 167.827, Line 21, by inserting immediately after the word **“insufficient”** the following:

**“grade-appropriate”; and**

Further amend said bill, page, and section, Lines 23 and 24, by deleting all of said lines and inserting in lieu thereof the following:

**“school year. The authority shall only disrupt student and parent choice for transfer if either in-“;**  
and

Further amend said bill, page and section, Line 27, by deleting the word **“first”** and inserting in lieu thereof the following:

**“before any student is allowed to transfer out of the unaccredited district or to a private nonsectarian school”; and**

Further amend said bill, Page 47, Section 167.828, Lines 4 and 5, by deleting all of said lines and inserting in lieu thereof the following:

**“section 167.848, located in his or her district of residence and is assigned to such school by the education authority.”**

Further amend said bill, Page 48, Section 167.830, Line 9, by inserting immediately after the word **“in”** the following:

**“an”; and**

Further amend said bill, Page 50, Section 167.833, Line 8, by inserting immediately after the word **“disbursements”** the following:

**“of public money”; and**

Further amend said bill, page and section, Line 10, by inserting immediately after the word **“education”**

the following:

**“and shall make disbursement of private funds according to the directions of the donor; if the donor did not specify how the private funds were to be disbursed, the state treasurer shall contact the donor to determine the manner of disbursement”;** and

Further amend said bill, Page 53, Section 167.839, Line 4, by deleting the words **“student transfer coordination”** and inserting in lieu thereof the following:

**“education”** ; and

Further amend said bill, page, and section, Line 9, by inserting immediately after the word **“disbursements”** the following:

**“of public money”**; and

Further amend said bill, page and section, Line 10, by inserting immediately after the word **“education”** the following:

**“and shall make disbursement of private funds according to the directions of the donor; if the donor did not specify how the private funds were to be disbursed, the state treasurer shall contact the donor to determine the manner of disbursement”;** and

Further amend said bill, Page 54, Section 167.842, Lines 16 and 17, by deleting all of said lines and inserting in lieu thereof the following:

**“district to such schools as are permitted under section 167.826.”** ; and

Further amend said bill, Page 55, Section 167.845, Line 4, by deleting the words **“student transfer coordination”** and inserting in lieu thereof the following:

**“education”** ; and

Further amend said bill and section, Page 56, Line 8, by inserting immediately after the word **“disbursements”** the following:

**“of public money”**; and

Further amend said bill, page and section, Line 10, by inserting immediately after the word **“education”** the following:

**“and shall make disbursement of private funds according to the directions of the donor; if the donor did not specify how the private funds were to be disbursed, the state treasurer shall contact the donor to determine the manner of disbursement”;** and

Further amend said bill, Page 56, Section 167.848, Line 8, by inserting after all of said line the following:

**“(3) “Attendance center”, a school building or buildings or part of a school building that constitutes one unit for accountability purposes under the Missouri school improvement program;”** ; and

Further amend said bill and section by renumbering subsequent subdivisions accordingly; and

Further amend said bill, page, and section, Line 12, by deleting the word “**seventy-five**” and inserting in lieu thereof the following:

“**fifty**”; and

Further amend said bill, Page 58, Section 170.320, Line 9, by inserting immediately after the word “**disbursements**” the following:

“**of public money**”; and

Further amend said bill, page, and section, Line 11, by inserting immediately after the word “**education**” the following:

“**and shall make disbursement of private funds according to the directions of the donor; if the donor did not specify how the private funds were to be disbursed, the state treasurer shall contact the donor to determine the manner of disbursement**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 1, Line 2 of said amendment by deleting all of said line and inserting in lieu thereof the following:

“485, 495, 516, 534, 545, 595, 616, & 624, Page 5, Section 160.400, Line 51, by inserting immediately following the second occurrence of the word “**education;**” the following:

“**or**”; and

Further amend said bill, page, and section, Lines 54 to 56, by deleting all of said line and inserting in lieu thereof the following:

“**unaccredited by the state board of education.**”; and

Further amend said bill, Page 18, Section 160.405, Line 334, by inserting after all of said line the following:

**“16. For purposes of completing and distributing the annual report card as prescribed in section 160.522, a school district may include the data from a charter school located within such school district, provided the local board of education or special administrative board for such district and the charter school reach mutual agreement for the inclusion of the data from the charter schools, and the terms of such agreement are approved by the state board of education. The charter school shall not be required to be a part of the local educational agency of such school district and may maintain a separate local educational agency status.”; and**

Further amend said bill, Page 19, Section 160.408, Line 3, by deleting the word”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.



HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 19, Section 160.408, Line 3, by deleting the word “**seventy-five**” and inserting in lieu thereof the following:

“**ninety**” ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 32, Section 162.1303, Lines 28 to 34, by deleting all of said lines and inserting in lieu thereof the following:

**“162.1305. 1. For purposes of this section, “transient student” means any student who transferred between different school districts more than once in the current or immediately preceding school year.**

**2. In the first year of attendance in a district, a transient student’s score on a statewide assessment shall not be included when calculating the status or progress scores on the district’s annual performance report scores. The statewide assessment scores for any transient student in the first year of attendance in a district shall be counted for growth scores from the previous year’s assessment for the purpose of the district’s annual performance report score and to serve as the baseline for growth in the next year’s assessment.**

**3. In the second year of attendance, a transient student’s score on a statewide assessment shall be weighted at fifty percent when calculating the district’s performance for purposes of the district’s annual performance report status or progress score, with growth counting for fifty percent.**

**4. In the third year of attendance, a transient student’s status, progress and growth score shall be weighted at one hundred percent when calculating the district’s performance for purposes of the district’s annual performance report score.” ; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO

HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 1, Line 2 of said amendment, by deleting all of said line and inserting in lieu thereof the following:

“485, 495, 516, 534, 545, 595, 616, & 624, Page 29, Section 162.432, Lines 1-12, by deleting all of said section and said lines; and

Further amend said bill, Page 43, Section 167.825, Line 1, by inserting “**1.**”“; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485,

495, 516, 534, 545, 595, 616, & 624, Page 43, Section 167.825, Line 1, by inserting “**1.**” immediately after “**167.825.**” ; and

Further amend said bill, page, and section, Lines 5 and 6, by deleting all of said lines and inserting in lieu thereof the following:

**“2. A student who has transferred under this section shall be permitted to complete middle school, junior high school, or high school, whichever occurs first, except that a student who attends any school serving students through high school graduation but starting at grades lower than ninth grade shall be permitted to complete high school in the school to which he or she has transferred as long as the student previously attended a school in the sending district for at least one semester before initially transferring unless the student was an entering kindergarten or first grade student and”;** and

Further amend said bill, page, and section, Line 10, by adding after all of said line the following:

**“3. Regardless of the accreditation status of the sending district, any student who transferred out of the district in school year 2013-14 but did not attend a public school in the unaccredited district shall no longer be eligible to transfer under this section in school year 2014-15.” ;** and

Further amend said bill, Page 45, Section 167.826, Line 55, by inserting immediately after the word “**subsection**” the following:

**“or one hundred percent of the receiving district’s tuition, whichever is less,” ;** and

Further amend said bill and section, Page 46, Line 97, by deleting all of said line and inserting in lieu thereof the following:

**“complete middle school, junior high school, or high school, whichever occurs first, except that a student who attends any school serving students through high school graduation but starting at grades lower than ninth grade shall be permitted to complete high school in the school to which he or she has transferred as long as the student previously attended a school in the sending district for at least one semester before initially transferring unless the student was an entering kindergarten or first grade student who applied by April of the year preceding first entry.”;** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 3, Section 160.041, Lines 7-9, by deleting all of said lines and inserting in lieu thereof the following:

**“2. Beginning with school year 2015-16, in any regular or summer school term, school days shall be scheduled so that”;** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 1, Lines 2 to 4, of said amendment,

by deleting the words “Page 65, Section 1, Line 25, by inserting after all of said line the following: **“Section 2.”** and inserting in lieu thereof the following:

“Pages 64 and 65, Section 1, by deleting said section from the bill and inserting in lieu thereof the following:

**“Section 1.”**”; and

Further amend said amendment and page, Line 21, by deleting all of said line and inserting in lieu thereof the following:

**“(4) One member from an education organization consisting entirely of elected officials appointed by the commissioner of education; and”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 65, Section 1, Line 25, by inserting after all of said line the following:

**“Section 2. 1. There is hereby established within the department of elementary and secondary education a task force, to be known as the “school transfer and improvement task force”, which shall be composed of eleven members. As used in this section, the term “task force” means the school transfer and improvement task force.**

**2. The task force is hereby created to study the following:**

- (1) Means to address failing schools including but not be limited to the creation of a school improvement district;**
- (2) Developing options for school transfer finance formulas;**
- (3) Best practices for how to design and finance public virtual and blended schools; and**
- (4) Best practices and possible pilot projects to assist transient students.**

**3. The task force shall consist of all of the following members:**

- (1) Three members of the senate of whom not more than two from one party and one member from an education policy research organization in Missouri appointed by the president pro tem of the senate;**
- (2) Three members of the house of representatives of whom not more than two from one party and one member from a statewide business association appointed by the speaker of the house;**
- (3) The commissioner of education or his or her designee;**
- (4) The governor or his or her designee; and**
- (5) The lieutenant governor or his or her designee.**

**4. The first meeting of the task force shall be called by the president pro tem of the senate. The task force shall elect a presiding officer by a majority vote of the membership of the task force. Subsequent**

meetings of the task force shall be at the call of the presiding officer.

**5. The task force shall make recommendations regarding the subject in subsection 2 of this section. In making those recommendations, the task force shall receive reports and testimony from individuals, state and local agencies, experts and other public and private organizations.**

**6. The recommendations may include proposals for specific statutory changes.**

**7. The members shall receive no compensation for their services on the task force, but shall be reimbursed for ordinary and necessary expenses incurred in the performance of their duties.**

**8. By February 1, 2015, the task force shall report its findings and recommendations to the general assembly.**

**9. The task force shall expire on April 31, 2015.” ; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 40, Section 167.131, Line 10, by deleting “district is the per pupil cost” and inserting in lieu thereof the following:

“district [is the] **shall be a negotiated tuition or seventy percent of the per pupil cost**” ; and

Further amend said section and page, Line 11, by deleting “attended” and inserting in lieu thereof the following:

“attended, **whichever is the lesser amount**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 26, Section 161.238, Line 25, by inserting after all of said line the following:

**“161.990. 1. A state “Community Education Council” (CEC) shall be established for the purpose of advising the commissioner of education and the department of elementary and secondary education on issues relating to schools and educational opportunities that are of importance in individual communities within the state.**

**2. The CEC shall have a membership of twenty-one persons who shall be serving concurrently on community action councils established under section 161.995. The method of appointment, along with a procedure to ensure that CEC membership includes persons from community action councils representing accredited districts, unaccredited districts, and provisionally accredited districts, shall be established by the department of elementary and secondary education. CEC members shall be appointed as follows:**

**(1) Four members shall be selected from each geographic quadrant within the combined area of a city not within a county and a county with a charter form of government and with more than nine**

hundred fifty thousand inhabitants, with four members representing the north quadrant, four members representing the east quadrant, four members representing the south quadrant, and four members representing the west quadrant; and

(2) Five members shall be selected at large.

Only one member of a particular community action council shall serve on the CEC at any one time.

3. The commissioner of education or the commissioner's designee shall convene the first meeting of the CEC for the purpose of establishing the bylaws of the CEC and electing officers to include a chairperson, vice chairperson, and secretary. CEC members may be reimbursed for expenses but shall not receive a per-diem allowance.

4. The department of elementary and secondary education shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.

161.995. 1. Prior to the 2015-16 school year, there shall be established in each school district located within a city not within a county and in each school district located within a county with a charter form of government and with more than nine hundred fifty thousand inhabitants a "Community Action Council" (CAC). Each CAC shall consist of volunteer members who shall be responsible for developing a strategic plan for educational success within their communities. Each CAC shall report its findings and plans for action to the department of elementary and secondary education on an annual basis, with the first report made to the department in January 2016, and subsequent reports made each January thereafter. CAC members shall reside in the school district and shall consist of:

- (1) Parents;
- (2) Elected officials;
- (3) Faith-based institutions;
- (4) Health care organizations;
- (5) Community-based organizations;
- (6) School board members;
- (7) Business leaders;
- (8) Educators and school administrators;
- (9) Community residents; and
- (10) Students.

**2. Each CAC shall work to empower the community they serve to improve local quality education by:**

**(1) Informing parents and community members about the performance and utilization of schools in their neighborhood and the priorities of the CAC;**

**(2) Engaging community stakeholders in developing strategies to improve schools through regular meetings, subcommittees, and community dialogues;**

**(3) Devising a strategic plan to improve their communities' educational opportunities;**

**(4) Providing guidance in developing and recommending a community vision for improved schools and ensure that students graduate prepared for success in college and career.**

**3. The department of elementary and secondary education shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.”; and**

Further amend said bill, Page 64, Section 177.088, Line 97, by inserting after all of said line the following:

“210.861. 1. When the tax prescribed by section 210.860 or section 67.1775 is established, the governing body of the city or county or city not within a county shall appoint a board of directors consisting of nine members, who shall be residents of the city or county or city not within a county. All board members shall be appointed to serve for a term of three years, except that of the first board appointed, three members shall be appointed for one-year terms, three members for two-year terms and three members for three-year terms. Board members may be reappointed. In a city not within a county, or any county of the first classification with a charter form of government with a population not less than nine hundred thousand inhabitants, or any county of the first classification with a charter form of government with a population not less than two hundred thousand inhabitants and not more than six hundred thousand inhabitants, or any noncharter county of the first classification with a population not less than one hundred seventy thousand and not more than two hundred thousand inhabitants, or any noncharter county of the first classification with a population not less than eighty thousand and not more than eighty-three thousand inhabitants, or any third classification county with a population not less than twenty-eight thousand and not more than thirty thousand inhabitants, or any county of the third classification with a population not less than nineteen thousand five hundred and not more than twenty thousand inhabitants the members of the community mental health board of trustees appointed pursuant to the provisions of sections 205.975 to 205.990 shall be the board members for the community children’s services fund. The directors shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses.

2. The board shall elect a chairman, vice chairman, treasurer, and such other officers as it deems necessary for its membership. Before taking office, the treasurer shall furnish a surety bond, in an amount to be determined and in a form to be approved by the board, for the faithful performance of his or her duties

and faithful accounting of all moneys that may come into his or her hands. The treasurer shall enter into the surety bond with a surety company authorized to do business in Missouri, and the cost of such bond shall be paid by the board of directors. The board shall administer and expend all funds generated pursuant to section 210.860 or section 67.1775 in a manner consistent with this section.

3. The board may contract with public or not-for-profit agencies licensed or certified where appropriate to provide qualified services and may place conditions on the use of such funds. The board shall reserve the right to audit the expenditure of any and all funds. The board and any agency with which the board contracts may establish eligibility standards for the use of such funds and the receipt of services. No member of the board shall serve on the governing body, have any financial interest in, or be employed by any agency which is a recipient of funds generated pursuant to section 210.860 or section 67.1775.

4. Revenues collected and deposited in the community children's services fund may be expended for the purchase of the following services:

(1) Up to thirty days of temporary shelter for abused, neglected, runaway, homeless or emotionally disturbed youth; respite care services; and services to unwed mothers;

(2) Outpatient chemical dependency and psychiatric treatment programs; counseling and related services as a part of transitional living programs; home-based and community-based family intervention programs; unmarried parent services; crisis intervention services, inclusive of telephone hotlines; and prevention programs which promote healthy lifestyles among children and youth and strengthen families;

(3) Individual, group, or family professional counseling and therapy services; psychological evaluations; and mental health screenings.

5. Revenues collected and deposited in the community children's services fund may not be expended for inpatient medical, psychiatric, and chemical dependency services, or for transportation services.

**6. In any county that contains all or any portion of a school district that has been designated as unaccredited or provisionally accredited by the state board of education, ten percent of the service fund's yearly revenues shall be devoted to a grant program that delivers services directly to schools in such districts according to the procedure in this subsection. The president of the school board shall notify the board of directors within five business days after such designation. The board shall, in its budget process for the following fiscal year, ensure that ten percent is allocated according to this subsection.**

**(1) The board shall undertake a needs assessment for any such school district within ninety days after receipt of the notice under this subsection. The needs assessment shall be used as a basis for comprehensive mental health wraparound services delivery for which the board shall contract as provided under subsection 3 of this section.**

**(2) The board shall appoint three of its members to a direct school service coordinating committee. The direct school service coordinating committee shall have two members appointed by the school board of each affected school district. One member shall be a parent with a child enrolled in a public school in the district and one member shall be a school services staff member.**

**(3) The direct school service coordinating committee shall provide recommendations and oversight to the program of contracted services under this subsection.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 29, Section 162.081, Line 107, by inserting immediately after the word “district” the following:

**“; however, no unaccredited district with an enrollment of five thousand pupils or less that has participated in the transfer program under section 167.131 as a result of judicial decision shall be merged with existing districts in the event of its lapse. The state board of education shall implement a reform plan submitted by the district and shall determine, by a majority vote, whether said reform plan shall be supervised by the elected school board, a special administrative board, or a reconstituted district with a new elected local school board” ; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 643**, entitled:

An Act to repeal sections 3.010, 3.066, and 3.090, RSMo, and to enact in lieu thereof three new sections relating to the publishing of Missouri statutes.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2002**, as amended, and request the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2003**, as amended, and request the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2004**, and request the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2005**, and request the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,



Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2006**, and request the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2007**, and request the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2008**, as amended, and request the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2009**, as amended, and request the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2010**, and request the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 2011**, and request the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2012**, and request the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2013**, and request the Senate to recede from its position and failing to do so grant the House a conference thereon.

Senator Pearce assumed the Chair.

## **REFERRALS**

President Pro Tem Dempsey referred **HB 1073** to the Committee on Governmental Accountability and Fiscal Oversight.

### PRIVILEGED MOTIONS

Senator Schaefer requested unanimous consent of the Senate to make one motion to send **SCS for HCS for HB 2002**, as amended; **SCS for HCS for HB 2003**, as amended; **SCS for HCS for HB 2004**; **SCS for HCS for HB 2005**; **SCS for HCS for HB 2006**; **SCS for HCS for HB 2007**; **SCS for HCS for HB 2008**, as amended; **SCS for HCS for HB 2009**, as amended; **SCS for HCS for HB 2010**; **SS for SCS for HCS for HB 2011**; **SCS for HCS for HB 2012**; and **SCS for HCS for HB 2013** to conference in one motion, which request was granted.

Senator Schaefer moved that the Senate refuse to recede from its position on **SCS for HCS for HB 2002**, as amended; **SCS for HCS for HB 2003**, as amended; **SCS for HCS for HB 2004**; **SCS for HCS for HB 2005**; **SCS for HCS for HB 2006**; **SCS for HCS for HB 2007**; **SCS for HCS for HB 2008**, as amended; **SCS for HCS for HB 2009**, as amended; **SCS for HCS for HB 2010**; **SS for SCS for HCS for HB 2011**; **SCS for HCS for HB 2012**; and **SCS for HCS for HB 2013** and grant the House a conference thereon, which motion prevailed.

### CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS for HCS for HB 2002**, as amended: Senators Schaefer, Silvey, Brown, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS for HCS for HB 2003**, as amended: Senators Schaefer, Silvey, Brown, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS for HCS for HB 2004**: Senators Schaefer, Silvey, Brown, Curls and Sifton.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS for HCS for HB 2005**: Senators Schaefer, Silvey, Brown, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS for HCS for HB 2006**: Senators Schaefer, Silvey, Brown, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS for HCS for HB 2007**: Senators Schaefer, Silvey, Brown, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS for HCS for HB 2008**, as amended: Senators Schaefer, Silvey, Brown, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS for HCS for HB 2009**, as amended: Senators Schaefer, Silvey, Brown, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS for HCS for HB 2010**: Senators Schaefer, Silvey, Brown, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SS for SCS for HCS for HB 2011**: Senators Schaefer, Silvey, Brown, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 2012**: Senators Schaefer, Silvey, Brown, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 2013**: Senators Schaefer, Silvey, Brown, Curls and Walsh.

### **REPORTS OF STANDING COMMITTEES**

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS** for **HB 2238**, with **SCS**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS** for **HB 1412**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS** for **HBs 1861** and **1864**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointment, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Karisha Devlin, Republican, as a member of the Missouri Agricultural and Small Business Development Authority;

Also,

Harold Edward Wildberger, as a member of the Sentencing and Corrections Oversight Commission;

Also,

Ronald Norwood, Independent, as a member of the Harris-Stowe State University Board of Regents;

Also,

David G. Liechti, Democrat, as a member of the Missouri Western State University Board of Governors;

Also,

John Lyskowski, Independent, as a member of the State Board of Registration for the Healing Arts; and

H. John Visser, Democrat, as a member of the State Board of Podiatric Medicine.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointment, which motion prevailed.

### **HOUSE BILLS ON THIRD READING**

At the request of Senator Schaaf, **HB 1430** was placed on the Informal Calendar.

At the request of Senator Dixon, **HB 1092**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Justus, **HB 1184** was placed on the Informal Calendar.

**HCS** for **HB 1217**, with **SCS**, was placed on the Informal Calendar.

**HCS** for **HRB 1299**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kehoe, **HB 1359** was placed on the Informal Calendar.

**HCS** for **HB 1631**, with **SCS**, was placed on the Informal Calendar.

**HB 1390**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Brown, **HB 1506** was placed on the Informal Calendar.

At the request of Senator Sater, **HCS** for **HBs 1307** and **1313**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kraus, **HB 1455** was placed on the Informal Calendar.

At the request of Senator Schaaf, **HCS** for **HB 1779**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Schaaf, **HB 1603** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HCS** for **HB 1557** was placed on the Informal Calendar.

At the request of Senator Parson, **HCS** for **HB 1514**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Romine, **HB 1791**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kraus, **HCS** for **HBs 1735** and **1618**, with **SCS**, was placed on the Informal Calendar.

**HCS** for **HB 1389** was placed on the Informal Calendar.

At the request of Senator Kehoe, **HCS** for **HB 1189**, with **SCA 1**, was placed on the Informal Calendar.

**HB 1206** was placed on the Informal Calendar.

At the request of Senator Cunningham, **HB 1270**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Schaefer, **HCS** for **HB 1300** was placed on the Informal Calendar.

At the request of Senator Brown, **HB 1617**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kraus, **HCS** for **HB 1296**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kehoe, **HB 1190**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HCS** for **HB 1090** was placed on the Informal Calendar.

At the request of Senator Cunningham, **HB 1651** was placed on the Informal Calendar.

**HCS** for **HB 2238**, with **SCS**, entitled:

An Act to amend chapters 192, 195, and 261, RSMo, by adding thereto four new sections relating to hemp, with an emergency clause.

Was taken up by Senator Schmitt.

**SCS** for **HCS** for **HB 2238**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2238

An Act to amend chapters 192, 195, and 261, RSMo, by adding thereto three new sections relating to hemp, with an emergency clause and penalty provisions.

Was taken up.

Senator Schmitt moved that **SCS** for **HCS** for **HB 2238** be adopted, which motion prevailed.

Photographers from The Missouri Times were given permission to take pictures in the Senate Chamber.

On motion of Senator Schmitt, **SCS** for **HCS** for **HB 2238** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS for HB 1729**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to a department of economic development office in Israel.

Was called from the Informal Calendar and taken by Senator Parson.

Senator Richard offered **SA 1**:

## SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill No. 1729, Page 1, In the Title, Lines 2-3 of the title, by striking “a department of economic development office in Israel” and inserting in lieu thereof the following: “the department of economic development”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said line the following:

“620.1900. 1. **For projects authorized tax credits before August 28, 2014**, the department of economic development may charge a fee to the recipient of any tax credits issued by the department, in an amount up to two and one-half percent of the amount of tax credits issued. **For projects authorized tax credits on or after August 28, 2014**, the department of economic development may charge a fee to the recipient of any tax credits issued by the department in an amount up to five percent of the amount of tax credits issued. The department shall not charge a fee in excess of two and one half percent of the amount of tax credits issued to the recipient of any tax credit for a project for which a written incentive proposal was offered by the department and accepted prior to August 28, 2014. The fee shall be paid by the recipient upon the issuance of the tax credits. However, no fee shall be charged for the tax credits issued under section 135.460, or section 208.770, or under sections 32.100 to 32.125, if issued for community services, crime prevention, education, job training, or physical revitalization.

2. All fees received by the department of economic development under this section shall be deposited

solely to the credit of the economic development advancement fund, created under subsection 3 of this section.

3. There is hereby created in the state treasury the “Economic Development Advancement Fund”, which shall consist of money collected under this section. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the administration of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. Such fund shall consist of any fees charged under subsection 1 of this section, any gifts, contributions, grants, or bequests received from federal, private, or other sources, fees or administrative charges from private activity bond allocations, moneys transferred or paid to the department in return for goods or services provided by the department, and any appropriations to the fund.

5. At least fifty percent of the fees and other moneys deposited in the fund shall be appropriated for marketing, technical assistance, and training, contracts for specialized economic development services, and new initiatives and pilot programming to address economic trends. The remainder may be appropriated toward the costs of staffing and operating expenses for the program activities of the department of economic development, and for accountability functions.”; and

Further amend the title and enacting clause accordingly.

Senator Richard moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe assumed the Chair.

Senator Parson moved that **HCS** for **HB 1729**, as amended, be read the 3rd and passed and was recognized to close.

President Pro Tem Dempsey re-referred **HCS** for **HB 1729**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

Senator Emery moved that **HB 1490**, with **SCS**, **SS** for **SCS** and **SA 17** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SA 17** was again taken up.

At the request of Senator Chappelle-Nadal, the above amendment was withdrawn.

Senator Emery moved that **SS** for **SCS** for **HB 1490**, as amended, be adopted, which motion prevailed.

On motion of Senator Emery, **SS** for **SCS** for **HB 1490**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Sater	Schaaf	Schaefer	Schmitt	Wallingford	Wasson—23	

## NAYS—Senators

Curls                      Holsman                      Justus                      Keaveny                      LeVota                      Nasheed                      Sifton                      Silvey  
Walsh—9

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

## YEAS—Senators

Brown                      Chappelle-Nadal                      Cunningham                      Curls                      Dempsey                      Dixon                      Emery                      Kehoe  
Kraus                      Lager                      Lamping                      Libla                      Munzlinger                      Nieves                      Parson                      Pearce  
Richard                      Romine                      Sater                      Schaaf                      Schaefer                      Schmitt                      Wallingford                      Wasson—24

## NAYS—Senators

Holsman                      Justus                      Keaveny                      LeVota                      Nasheed                      Sifton                      Silvey                      Walsh—8

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Emery, title to the bill was agreed to.

Senator Emery moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### SENATE BILLS FOR PERFECTION

Senator Keaveny moved that **SB 538**, be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Keaveny offered **SS** for **SB 538**, entitled:

#### SENATE SUBSTITUTE FOR SENATE BILL NO. 538

An Act to repeal sections 163.011 and 163.031, RSMo, and to enact in lieu thereof three new sections relating to state funding for education, with an effective date.

Senator Keaveny moved that **SS** for **SB 538** be adopted, which motion prevailed.

On motion of Senator Keaveny, **SS** for **SB 538** was declared perfected and ordered printed.



**PRIVILEGED MOTIONS**

Senator Pearce moved that the Senate refuse to concur in **HCS** for **SCS** for **SBs 493, 485, 495, 516, 534, 545, 595, 616, and 624**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Parson moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 672**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Sifton moved that **SCS** for **SB 643**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SCS** for **SB 643**, entitled:

**HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 643**

An Act to repeal sections 3.010, 3.066, and 3.090, RSMo, and to enact in lieu thereof three new sections relating to the publishing of Missouri statutes.

Was taken up.

Senator Sifton moved that **HCS** for **SCS** for **SB 643** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Sifton	Silvey	Wallingford	Wasson—30		

NAYS—Senators—None

Absent—Senators

Schmitt Walsh—2

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Sifton, **HCS** for **SCS** for **SB 643** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Sifton	Silvey	Wallingford	Wasson—30		

NAYS—Senators—None

Absent—Senators

Schmitt Walsh—2

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Sifton, title to the bill was agreed to.

Senator Sifton moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Brown moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 716**, as amended and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Wasson moved that **SCS** for **SB 808**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SCS** for **SB 808**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 808

An Act to repeal sections 324.024, 334.735, 337.615, 337.643, 337.645, 338.010, 338.020, 338.059, 338.220, 346.010, and 346.055, RSMo, and to enact in lieu thereof thirteen new sections relating to the licensing of certain professions, with an existing penalty provision.

Was taken up.

Senator Wasson moved that **HCS** for **SCS** for **SB 808**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Sifton	Silvey	Wallingford	Wasson—30		

NAYS—Senators—None

Absent—Senators

Schmitt          Walsh—2

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Wasson, **HCS** for **SCS** for **SB 808**, as amended, was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Sifton	Silvey	Wallingford	Wasson—30		

## NAYS—Senators—None

## Absent—Senators

Schmitt	Walsh—2
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## Absent with leave—Senators—None

## Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Dixon moved that **SB 606**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SB 606**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 606

An Act to repeal section 379.901, RSMo, and to enact in lieu thereof one new section relating to prepaid legal service plans.

Was taken up.

Senator Dixon moved that **HCS** for **SB 606**, be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Wasson—29			

## NAYS—Senator Emery—1

## Absent—Senators

LeVota	Walsh—2
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## Absent with leave—Senators—None

Vacancies—2

On motion of Senator Dixon, **HCS** for **SB 606** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Wasson—29			

NAYS—Senators

Emery            Nieves—2

Absent—Senator Walsh—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Cunningham moved that **SS** for **SB 525**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SS** for **SB 525**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE BILL NO. 525

An Act to amend chapter 196, RSMo, by adding thereto two new sections relating to food safety.

Was taken up.

Senator Cunningham moved that **HCS** for **SS** for **SB 525**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—30		

NAYS—Senators—None

Absent—Senators

Nieves Walsh—2

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Cunningham, **HCS** for **SS** for **SB 525**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—30		

NAYS—Senators—None

Absent—Senators

Nieves Walsh—2

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Sater moved that **SB 600**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SB 600**, as amended, entitled:

#### HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 600

An Act to repeal sections 42.170, 42.200, 42.220, 301.3142, 347.179, 351.065, 354.150, 355.021, 357.060, 358.440, 359.651, 394.250, and 417.220, RSMo, and to enact in lieu thereof sixteen new sections relating to veterans, with penalty provisions.

Was taken up.

Senator Sater moved that **HCS** for **SB 600**, as amended, be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—31	

NAYS—Senators—None

Absent—Senator Walsh—1

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Sater, **HCS** for **SB 600**, as amended, was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—31	

NAYS—Senators—None

Absent—Senator Walsh—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Cunningham moved that **SS** for **SB 694**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SS** for **SB 694**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE BILL NO. 694

An Act to repeal sections 408.500, 408.505, and 408.506, RSMo, and to enact in lieu thereof three new sections relating to unsecured loans of five hundred dollars or less, with penalty provisions.

Was taken up.

Senator Cunningham moved that **HCS** for **SS** for **SB 694**, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Keaveny
Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger	Nasheed	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Wasson—27					

NAYS—Senators

Emery	Lamping	Nieves—3
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Absent—Senators

Justus	Walsh—2
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Absent with leave—Senators—None

Vacancies—2

On motion of Senator Cunningham, **HCS** for **SS** for **SB 694** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Holsman	Keaveny	Kehoe
Kraus	Lager	LeVota	Libla	Munzlinger	Nasheed	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey
Wallingford	Wasson—26						

NAYS—Senators

Chappelle-Nadal	Emery	Lamping	Nieves—4
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Absent—Senators

Justus	Walsh—2
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Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Lager moved that **SB 701**, with **HA 1**, **HA 3**, and **HA 4**, be taken up for 3rd reading and final passage, which motion prevailed.

**HA 1** was taken up.

Senator Lager moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—30		

NAYS—Senators—None

Absent—Senators

Justus Walsh—2

Absent with leave—Senators—None

Vacancies—2

**HA 3** was taken up.

Senator Lager moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—30		

NAYS—Senators—None

Absent—Senators

Justus Walsh—2

Absent with leave—Senators—None

Vacancies—2

**HA 4** was taken up.



Senator Lager moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—30		

NAYS—Senators—None

Absent—Senators

Justus Walsh—2

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Lager, **SB 701**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—31	

NAYS—Senators—None

Absent—Senator Walsh—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

### HOUSE BILLS ON THIRD READING

**HB 1724**, introduced by Representatives Davis and Lynch, entitled:

An Act to repeal section 41.216, RSMo, and to enact in lieu thereof one new section relating to the Missouri military family relief fund.

Was called from the Consent Calendar and taken up by Senator Brown.

On motion of Senator Brown, **HB 1724** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—31	

NAYS—Senators—None

Absent—Senator Walsh—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 1081**, introduced by Representative McCaherty, et al, entitled:

An Act to amend chapter 32, RSMo, by adding thereto two new sections relating to paperless communications.

Was called from the Consent Calendar and taken up by Senator Romine.

On motion of Senator Romine, **HB 1081** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—31	

NAYS—Senators—None

Absent—Senator Walsh—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 1603**, introduced by Representatives Conway and Kratky, entitled:

An Act to amend chapter 10, RSMo, by adding thereto one new section relating to the designation of the official state exercise.

Was called from the Informal Calendar and taken up by Senator Schaaf.

On motion of Senator Schaaf, **HB 1603** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schmitt	Sifton	Wallingford

Wasson—25

NAYS—Senators

Emery	Kraus	Lager	Schaefer	Silvey—5
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Absent—Senators

LeVota	Walsh—2
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Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following Conference Committee to act with a like committee from the Senate on **SS** for **HB 1361**, as amended. Representatives: Gosen, Wieland and Mitten.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2020**, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions, from the funds herein designated for the fiscal period beginning July 1, 2014 and ending June 30, 2015.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1157**, entitled:

An Act to amend chapter 161, RSMo, by adding thereto one new section relating to the privacy of student data.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2163**, entitled:

An Act to repeal section 304.190, RSMo, and to enact in lieu thereof one new section relating to city commercial zones.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS for HCS for HB 2238**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 2141**, entitled:

An Act to repeal sections 135.710, 137.010, 142.803, 142.869, 413.225, and 413.226, RSMo, and to enact in lieu thereof six new sections relating to alternative fuels, with an existing penalty provision and an effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

President Pro Tem Dempsey assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HCS for HB 1303**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 1504**, begs leave to report that it has considered the same and recommends that the Senate

Committee Substitute, hereto attached, do pass.

Senator Nieves, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **HB 2028**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HCS** for **HB 1326**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1136**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1411**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 1372**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 1388**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 1336**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **HJR 48**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HCS** for **HB 1685**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following reports:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **HCS** for **HB 1999**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **HB 1866**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HCS** for **HB 1882**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HCS** for **HB 1044**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HCS** for **HB 1156**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SB 538**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

## **RESOLUTIONS**

Senator Kraus offered Senate Resolution No. 1988, regarding Leandra Patochek, Nixa, which was adopted.

Senator Kraus offered Senate Resolution No. 1989, regarding Beth Files, which was adopted.

Senators Lamping and Dempsey offered Senate Resolution No. 1990, regarding Alexis Sallwasser, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 1991, regarding Lucas Sean Doherty, St. Peters, which was adopted.

Senator Brown offered Senate Resolution No. 1992, regarding Peggy Baker, Newburg, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Emery introduced to the Senate, the Schmitt family, Glendale.

Senator Lamping introduced to the Senate, John and Beth, Claire, Campbell, Grace and Mary Jane Tiffin, St. Louis.

Senator Parson introduced to the Senate, eighth grade students from Lakeland R-III School, Lowry City/Deepwater.

Senator Dixon introduced to the Senate, Tonia, Logan and Luke Seaman, Springfield; and Logan and Luke were made honorary pages.

Senator Brown introduced to the Senate, Dianne Bernhard, Susie Sawyer, Carolyn Davinroy and Sara Slone, representatives of COPS.

Senator Kraus introduced to the Senate, Leandra Patochek, Nixa.

Senator Silvey introduced to the Senate, eleventh grade students from Eagle Heights Christian School, Kansas City.

Senator Schaaf introduced to the Senate, parents and fifty students from Pershing Elementary School, St. Joseph.

Senator Justus introduced to the Senate, Will Lusk.

On motion of Senator Richard, the Senate adjourned until 3:00 p.m., Monday, May 5, 2014.

### **SENATE CALENDAR**

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SIXTY-SECOND DAY—MONDAY, MAY 5, 2014

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### **FORMAL CALENDAR**

#### **HOUSE BILLS ON SECOND READING**

HB 1792-Fitzwater, et al  
HCS for HB 2020  
HB 1157-Lair

HB 2163-Riddle  
HCS for HB 2141

#### **THIRD READING OF SENATE BILLS**

SS for SCS for SB 666-Schmitt (In  
Fiscal Oversight)  
SS for SCS for SB 850-Munzlinger (In  
Fiscal Oversight)

SS for SB 538-Keaveny

## SENATE BILLS FOR PERFECTION

- |                                  |                                  |
|----------------------------------|----------------------------------|
| 1. SB 858-Kraus                  | 7. SBs 798 & 514-Emery, with SCS |
| 2. SB 669-Schaaf                 | 8. SB 865-Nieves                 |
| 3. SB 821-Schaefer               | 9. SB 619-Nieves, with SCS       |
| 4. SB 823-Dixon, et al, with SCS | 10. SB 531-Nasheed               |
| 5. SB 973-Brown                  | 11. SB 820-Schaefer              |
| 6. SB 815-Pearce, with SCS       |                                  |

## HOUSE BILLS ON THIRD READING

- |  |                                      |
|--|--------------------------------------|
| 1. HB 1073-Dugger, et al (In Fiscal Oversight) | 11. HB 1388-Cornejo, et al, with SCS |
| 2. HCS for HB 1412                             | 12. HCS for HB 1336, with SCS        |
| 3. HCS for HBs 1861 & 1864, with SCS           | 13. HJR 48-Solon, et al              |
| 4. HCS for HB 1303                             | 14. HCS for HB 1685                  |
| 5. HB 1504-Zerr, with SCS                      | 15. HCS for HB 1999                  |
| 6. HB 2028-Peters, et al                       | 16. HB 1866-Schatz, et al, with SCS  |
| 7. HCS for HB 1326, with SCS                   | 17. HCS for HB 1882                  |
| 8. HB 1136-Dugger, et al, with SCS             | 18. HCS for HB 1044, with SCS        |
| 9. HB 1411-Cross, et al, with SCS              | 19. HCS for HB 1156                  |
| 10. HB 1372-Cox, et al                         |                                      |

## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

- |  |  |
|--|--|
| SB 490-Lager and Kehoe, with SCS                         | SB 573-Munzlinger, with SCS                              |
| SB 494-Pearce, with SS (pending)                         | SB 578-Kraus   |
| SB 501-Keaveny   | SB 589-Brown, with SCS, SA 2 & SA 1 to<br>SA 2 (pending) |
| SB 518-Sater, with SCS, SA 2 & SA 1 to<br>SA 2 (pending) | SB 617-Parson, with SCS, SS for SCS & SA 1<br>(pending)  |
| SB 519-Sater, with SS & SA 1 (pending)                   | SB 634-Parson, with SCS                                  |
| SS for SB 543-Munzlinger                                 | SB 641-Emery   |
| SB 550-Sater, with SCS                                   | SB 644-LeVota  |
| SB 553-Emery, with SCS, SS for SCS & SA 1<br>(pending)   | SB 659-Wallingford, with SCS                             |
| SB 555-Nasheed, with SS & SA 1 (pending)                 | SB 663-Munzlinger, with SCS                              |
| SB 566-Sifton  | SB 671-Sater   |



SB 712-Walsh, with SCS & SS for SCS  
(pending)  
SB 724-Parson  
SB 739-Romine, with SCS, SS for SCS, SA 1  
& SA 1 to SA 1 (pending)  
SB 755-Wallingford  
SB 762-Schaefer, with SCS  
SB 769-Pearce, with SCS  
SB 770-Wallingford, with SCS  
SBs 787 & 804-Justus, with SCS  
SB 790-Dixon  
SB 814-Brown  
SB 819-Wallingford, with SCS  
SB 830-Parson  
SBs 836 & 800-Munzlinger, with SCS

SB 846-Richard  
SB 848-LeVota, with SCS  
SB 875-Sater, with SCS  
SB 887-Schaefer  
SB 888-Parson, with SCS  
SB 912-Wasson and Justus, with SCS  
(pending)  
SB 919-Justus  
SB 966-Lager  
SJR 25-Lager, with SS, SA 2 & SA 1 to SA 2  
(pending)  
SJR 26-Lager, with SS & SA 1 (pending)  
SJR 34-Emery  
SJR 42-Schmitt, with SS (pending)

#### HOUSE BILLS ON THIRD READING

HCS for HB 1090 (Munzlinger)  
HB 1092-Lant, et al, with SCS (Dixon)  
HB 1126-Dugger and Entlicher, with SCS &  
SA 6 (pending) (Kraus)  
HB 1173-Burlison, et al, with SA 1 & SA 1  
to SA 1 (pending) (Brown)  
HB 1184-Grisamore (Justus)  
HCS for HB 1189, with SCA 1 (Kehoe)  
HB 1190-Kelley (127), et al, with SCS (Kehoe)  
HB 1206-Wilson (Pearce)  
HCS for HB 1217, with SCS (Cunningham)  
HB 1270-Lant, et al, with SCS (Cunningham)  
HCS for HB 1295, with SCS (Kraus)  
HCS for HB 1296, with SCS (Kraus)  
HCS for HRB 1299, with SCS (Lager)  
HCS for HB 1300 (Schaefer)  
HCS for HBs 1307 & 1313, with SCS (Sater)  
HB 1359-Flanigan (Kehoe)  
HCS for HB 1389 (Pearce)

HB 1390-Thomson, et al, with SCS (Pearce)  
HB 1430-Jones (110), et al (Schaaf)  
HB 1455-Hoskins and Fraker (Kraus)  
HB 1495-Torpey and Hicks, with SCS & SS  
for SCS (pending) (Dixon)  
HCS for HB 1501, with SS (pending) (Schmitt)  
HB 1506-Franklin, et al (Brown)  
HCS for HB 1514, with SCS (Parson)  
HCS for HB 1557 (Munzlinger)  
HB 1617-Rehder, et al, with SCS (Brown)  
HCS for HB 1631, with SCS (Lager)  
HB 1651-Fraker (Cunningham)  
HCS for HB 1729, as amended (Parson) (In  
Fiscal Oversight)  
HCS for HBs 1735 & 1618, with SCS (Kraus)  
HCS for HB 1779, with SCS (Schaaf)  
HB 1791-Fitzwater, et al, with SCS (Romine)  
HCS for HJR 47 (Kraus)  
HJR 72-Richardson, et al (Silvey)

## CONSENT CALENDAR

## House Bills

Reported 4/15

HCS for HB 1510 (Brown)

## SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 526-Cunningham, with HA 1,  
HA 2, HA 3, as amended, HA 4, as  
amended, HA 5 & HA 6

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

## In Conference

HB 1361-Gosen and Wieland, with SS, as  
amended (Parson)  
HCS for HB 2002, with SCS, as amended  
(Schaefer)  
HCS for HB 2003, with SCS, as amended  
(Schaefer)  
HCS for HB 2004, with SCS (Schaefer)  
HCS for HB 2005, with SCS (Schaefer)  
HCS for HB 2006, with SCS (Schaefer)  
HCS for HB 2007, with SCS (Schaefer)

HCS for HB 2008, with SCS, as amended  
(Schaefer)  
HCS for HB 2009, with SCS, as amended  
(Schaefer)  
HCS for HB 2010, with SCS (Schaefer)  
HCS for HB 2011, with SS for SCS  
(Schaefer)  
HCS for HB 2012, with SCS (Schaefer)  
HCS for HB 2013, with SCS (Schaefer)

## Requests to Recede or Grant Conference

SCS for SBs 493, 485, 495, 516, 534,  
545, 595, 616 & 624-Pearce, with  
HCS, as amended (Senate requests  
House recede or grant conference)  
SCS for SB 612-Schaaf, with HA 1, HA 2,  
HA 3, HA 4 & HA 5 (Senate requests  
House recede or grant conference)

SCS for SB 672-Parson, with HCS, as  
amended (Senate requests House  
recede or grant conference)  
SCS for SB 716-Brown, with HCS, as  
amended (Senate requests House  
recede or grant conference)

# Journal of the Senate

SECOND REGULAR SESSION

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**SIXTY-SECOND DAY—MONDAY, MAY 5, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Keep your heart with all diligence, for out of it are the issues of life.” (Proverbs 4:23)

Gracious God, it is a beautiful day that You have given to us to enjoy and have brought us safely here to do our work. Help us to keep our hearts in line with You, so our decisions and convictions are held fast in keeping with Your will for us. At this time of our session our lives; our soul; and our conscience are under fire by those who would have us hesitate in what we know is true and in keeping with Your teachings. So we pray, bless and guide us this week that amid all the pressures to get things done we remain faithful. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, May 1, 2014 was read and approved.

Senator Richard announced photographers from The New York Times, Missouri Digital News, The Missouri Times and KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Emery offered Senate Resolution No. 1993, regarding Scott Dobson, Raymore, which was adopted.

Senator Emery offered Senate Resolution No. 1994, regarding Kris Schuler, which was adopted.

Senator Nasheed offered Senate Resolution No. 1995, regarding India Bloom, which was adopted.

Senator Kraus offered Senate Resolution No. 1996, regarding James Devine, Lee's Summit, which was adopted.

Senator Schaefer offered Senate Resolution No. 1997, regarding American Bikers Aimed Towards Education, which was adopted.

Senator Sifton offered Senate Resolution No. 1998, regarding Hayley Bohnert, which was adopted.

Senator Sifton offered Senate Resolution No. 1999, regarding Dylan T. Kriegshauser, which was adopted.

Senator Kraus offered Senate Resolution No. 2000, regarding Kyle Daniel Jegen, Lee's Summit, which was adopted.

Senator Pearce offered Senate Resolution No. 2001, regarding M. Naomi Williamson, which was adopted.

Senator Pearce offered Senate Resolution No. 2002, regarding Kathy Borgman, which was adopted.

Senators Brown and Nieves offered Senate Resolution No. 2003, regarding Christopher Brozyna, Ballwin, which was adopted.

Senator Dempsey offered Senate Resolution No. 2004, regarding Velora Alvis "Val" Cummings, Saint Charles, which was adopted.

Senator Schmitt offered Senate Resolution No. 2005, regarding Edward N. Lisciandra, Valley Park, which was adopted.

**HOUSE BILLS ON THIRD READING**

**HCS** for **HB 1090**, entitled:

An Act to repeal section 105.935, RSMo, and to enact in lieu thereof one new section relating to state employees.

Was called from the Informal Calendar and taken up by Senator Munzlinger.

On motion of Senator Munzlinger, **HCS** for **HB 1090** was read the 3rd time and passed by the following vote:

**YEAS—Senators**

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed

Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2002**, as amended. Representatives: Stream, Flanigan, Lair, Montecillo and Kirkton.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2003**, as amended. Representatives: Stream, Flanigan, Lair, Montecillo and Kelly (45).

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2004**. Representatives: Stream, Flanigan, Hough, Webber and McManus.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2005**. Representatives: Stream, Flanigan, Burlison, Kelly (45) and McManus.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2006**. Representatives: Stream, Flanigan, Redmon, Schupp and Kirkton.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2007**. Representatives: Stream, Flanigan, Korman, Kelly (45) and McCann Beatty.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2008**, as amended. Representatives: Stream, Flanigan, Haefner, Rizzo and Kelly (45).

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2009**, as amended. Representatives: Stream, Flanigan, Haefner, Rizzo and Kirkton.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2010**. Representatives: Stream, Flanigan, Allen, Kirkton and LaFaver.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 2011**. Representatives: Stream, Flanigan, Allen, Kirkton and LaFaver.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2012**. Representatives: Stream, Flanigan, Parkinson, Kelly (45) and Kirkton.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2013**. Representatives: Stream, Flanigan, Parkinson, Kirkton and Webber.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 530**, entitled:

An Act to repeal section 211.447, RSMo, and to enact in lieu thereof one new section relating to termination of parental rights.

With House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2 and House

Amendment No. 2, as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 530, Page 5, Section 211.447, Line 151, by deleting the word “**and**” and inserting in lieu thereof the word “**or**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 530, Page 1, Line 7, by deleting the phrase “**the legal limit**”, and inserting in lieu thereof “**.08 blood alcohol content pursuant to testing under section 577.020**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 530, Page 5, Section 211.447, Line 129, by deleting the phrase “**while the child was in utero or**”; and

Further amend said bill, section and page, Line 130, by deleting all of said line and inserting in lieu thereof the following:

“**hours after the child's birth, the child's birth mother tested positive and over the legal limit for alcohol, or tested positive for cocaine,**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2021**, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions, from the funds herein designated for the fiscal period beginning July 1, 2014 and ending June 30, 2015.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Senator Pearce assumed the Chair.

**MESSAGES FROM THE GOVERNOR**

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

May 1, 2014

TO THE SECRETARY OF THE SENATE  
97<sup>th</sup> GENERAL ASSEMBLY  
SECOND REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you Senate Substitute No. 3 for Senate Committee Substitute for Senate Bills Nos. 509 & 496 entitled:

AN ACT

To repeal sections 143.011, 143.021, and 143.151, RSMo, and to enact in lieu thereof four new sections relating to income taxes.

I disapprove of Senate Substitute No. 3 for Senate Committee Substitute for Senate Bills Nos. 509 & 496. My reasons for disapproval are as follows:

Much like last year's Senate Substitute for House Bill No. 253 (2013), Senate Substitute No. 3 for Senate Committee Substitute for Senate Bills Nos. 509 & 496 is an ill-conceived, fiscally irresponsible experiment. This unaffordable, unfair and potentially dangerous legislation will irreparably harm public education and the vital public services upon which Missourians rely, undermine our state's long-term fiscal health, and provide extraordinary benefits to the few with little for the many. For these reasons and to protect the long-term economic prosperity of our state, Senate Substitute No. 3 for Senate Committee Substitute for Senate Bills Nos. 509 & 496 cannot receive my approval.

**I. Senate Bill 509 Is Unaffordable**

Although the true fiscal impact of Senate Substitute No. 3 for Senate Committee Substitute for Senate Bills Nos. 509 & 496 could be far greater, even the legislature's estimated \$620 million annual general revenue reduction would dramatically undercut the state's ability to meet its obligations to support K-12 schools, higher education, and vital public services. As I said last year in my veto of Senate Substitute for House Bill No. 253 (2013):

Although Missourians expect to have low and predictable taxes, they also want good jobs, quality schools, and safe and healthy communities, and they are not willing to gamble these priorities on unproven experiments. With our taxes already among the lowest in the nation, the additional reductions called for by [the legislation] would leave a gaping budget hole for decades to come, requiring cuts of such magnitude that meeting even our basic obligations for K-12 education, for our colleges and universities, for public safety and for other vital services would be out of reach.

It is troubling that proponents have portrayed Senate Substitute No. 3 for Senate Committee Substitute for Senate Bills Nos. 509 & 496 as a way to grow our economy when it would undermine the foundation of our long-term economic growth—public education. The obligation to support public schools has long been part of our shared values as Missourians.<sup>1</sup> Our fiscal discipline and growing economy have put us within striking distance of meeting the legal obligation to fund schools embodied by the school foundation formula. However, by permanently and fundamentally altering the tax code, Senate Substitute No. 3 for Senate Committee Substitute for Senate Bills Nos. 509 & 496 would reduce the revenue available to meet this legal obligation and leave our schools unable to provide the skilled, educated workforce necessary for the long-term growth of our economy.

**a. Delaying the Tax Cuts Fails to Protect Education and Vital Public Services**

Senate Substitute No. 3 for Senate Committee Substitute for Senate Bills Nos. 509 & 496 superficially attempts to protect education and vital public services from drastic cuts by delaying the proposed tax cuts until 2017. Although such a delay would clearly shield many of the lawmakers who voted for the bill from ever having to put together a budget based upon it, the delay does nothing but postpone the difficult fiscal choices that will have to be made if this bill becomes law. Moreover, a two-year delay before the tax cuts take effect contradicts the economic argument advanced by proponents that immediate tax relief is needed in order to stimulate economic growth. It is difficult to see how a tax cut of \$32 for the average Missouri family in the year 2022 would provide the immediate economic shot of adrenaline supporters have made this bill out to be. Even if postponing the revenue reductions resulting from the legislation would enable the foundation formula to be fully-funded at least once before revenues begin to erode, a single year of full funding does not meet our legal obligation to schools. This obligation must be sustained year after year to ensure an education system capable of producing the workforce necessary for the jobs of today and the jobs of tomorrow. Senate Substitute No. 3 for Senate Committee Substitute for Senate Bills Nos. 509 & 496 jeopardizes our ability

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<sup>1</sup> Missouri's Territorial Charter of 1812 provided "Knowledge, being necessary to good government and the happiness of mankind, schools and the means of public education shall be encouraged and provided for." *Territorial Laws of Missouri*, vol. I, ch. IV, sec. 14 (page 13) (approved June 4, 1812). Similarly, Missouri's Constitution provides: "A general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people, the general assembly shall establish and maintain free public schools in this state within ages not excess of twenty-one years as prescribed by law." Mo. Const. Art. IX.



to live up to this obligation, whether the bill's impacts begin tomorrow or a decade from now.

**b. The Revenue Triggers Fail to Protect Education and Vital Public Services**

Some have relied on the so-called revenue “triggers” in the legislation that must occur before tax reductions take effect in order to claim that their vote in favor of this measure is not a vote against public education. However, as I pointed out last year in my veto of Senate Substitute for House Bill No. 253 (2013), such revenue triggers fail to protect against cuts to education and vital public services because they allow for permanent changes in the tax code based on a single year's increase in revenue collections. In addition, the triggers are drafted so as to allow a reduction in taxes even during the depths of an economic recession. For example, if Senate Substitute No. 3 for Senate Committee Substitute for Senate Bills Nos. 509 & 496 had been in effect at the time, the more than \$150 million revenue collection increase in Fiscal Year 2008 would have triggered a tax rate reduction in 2009, despite the fact that there was a \$553 million reduction in revenue during Fiscal Year 2009 due to the economic recession that had begun in December 2007. Had this bill been in effect, steep cuts to education and vital public services would have been unavoidable, as the tax cuts would have continued reducing revenue regardless of objective economic conditions and the resulting decline in revenue collections.

Moreover, the revenue triggers in the legislation only apply until the tax cuts are fully phased-in. After that time, under the legislature's own estimates, there would be at least \$620 million less in general revenue available each and every year, regardless of whether revenue collections are going up or down. In addition, the legislation's annual cost would continue to grow above the legislature's \$620 million annual estimate because the income bracket adjustments in the bill for increases in the consumer price index would continue indefinitely. *See* Section 143.011.3. This provision alone would result in an additional \$128 million in annual revenue reductions ten years after the legislation is fully phased-in, increasing each year into perpetuity.

**II. Senate Bill 509 Is Unfair**

Senate Substitute No. 3 for Senate Committee Substitute for Senate Bills Nos. 509 & 496 provides extraordinarily generous benefits to the wealthy while providing little to working Missourians. Much of this inequity is due to the business income exemption, which as in last year's Senate Substitute for House Bill No. 253 (2013), gives disproportionate tax benefits to select business owners without any requirement that they create jobs and no proof that they would.

**a. The Business Income Exemption Is Poor Tax Policy**

Many have recognized that the business income exemption in Senate Substitute No. 3 for Senate Committee Substitute for Senate Bills Nos. 509 & 496 is poor tax policy.<sup>2</sup> It would provide a strong incentive to game the tax code through creative accounting, even to the point of forming a “business” simply to gain this generous new tax benefit. A special carve-out like this rewards tax avoidance without concomitant economic activity and makes our tax code less efficient without any empirical evidence that it would improve our economy. In addition, creating a new loophole for select businesses violates the well-established principle of sound tax policy to ensure a broad tax base so that the overall tax burden remains low. Like the state's costly and inefficient tax credit programs, this new exemption narrows the tax base, thereby shifting a greater tax burden to the majority of taxpayers unable to utilize such loopholes.

**b. The Business Income Exemption Treats Certain Businesses Better than Others**

The business income exemption also provides preferential treatment for a select group of businesses, while discriminating against many others based solely on the paperwork the business filed to organize. Under this provision, businesses organized as “pass-through entities”—e.g., LLCs, partnerships, s-corps—would see up to a quarter of their taxable income treated as tax free, while other businesses would see no benefit at all. Privileging one form of business organization over another would create a perverse incentive for businesses to restructure for tax avoidance, not economic efficiency, while penalizing businesses that do not lend themselves to the pass-through form. This kind of governmental manipulation through the tax code unduly interferes with the free market by incentivizing economically inefficient behavior. There is no principled economic justification for the tax code to pick winners and losers based solely on elevating the form of a business's organizational structure over its economic substance.

**c. The Business Income Exemption Treats Business Owners Better Than Workers**

The business income exemption would result in a worker paying higher taxes than his or her employer, even if the worker and the employer reported exactly the same taxable income. For example, under this bill an owner of a pass-through business reporting \$40,000 in Missouri adjusted gross income would pay \$704 in income tax, while their employee reporting that same amount would pay \$1,123 in tax—more than 50 percent more in tax than the employer. No legislation that gives two taxpayers with identical incomes—one who happens to own a business and one who happens to work at one—such drastically different tax treatments can be called fair.

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<sup>2</sup> *See, e.g., “Tax Foundation Pans Missouri Income Tax Bills,” available at [http://www.stltoday.com/business/columns/david-nicklaus/tax-foundation-pans-missouri-tax-cut-bills/article\\_cc6b6b3a-7733-512d-9cb4-a9f57307ae82.html](http://www.stltoday.com/business/columns/david-nicklaus/tax-foundation-pans-missouri-tax-cut-bills/article_cc6b6b3a-7733-512d-9cb4-a9f57307ae82.html)*

**d. The Business Income Exemption Is Not Targeted to Help Small Businesses**

While supporters contend that the business income exemption is designed to benefit small businesses, there is no such limitation in the law.<sup>3</sup> Indeed, the benefits of the exemption would go disproportionately to the wealthiest business owners. Less than one percent of all business income tax filers reported taxable income in excess of \$1 million, but they are projected to receive nearly 30 percent of the tax savings from the bill. Such individuals with taxable income in excess of \$1 million are projected to see an average tax cut of \$32,000 annually when the bill is fully phased-in. On the other side of the coin, more than 70 percent of all business income filers reported taxable income of \$50,000 or less, and they would see just 13 percent of the tax savings, with an average annual tax cut of \$135 by 2022.

**e. The Overall Bill Disproportionately Benefits the Wealthy**

Just as the business income exemption disproportionately benefits the wealthy, so does the overall bill. Taxpayers reporting more than \$100,000 in taxable income make up just seven percent of all Missouri tax returns filed. However, this small subset of taxpayers is projected to receive 52 percent of the total tax savings under the bill, with an average annual tax savings of \$1,145. Meanwhile, the 93 percent of Missouri taxpayers with taxable incomes below \$100,000 would see an average annual tax savings of just \$78. Under this bill, the owner of a casino organized as a pass-through entity with \$1 million in covered business income could write off \$250,000 of that income and receive a tax cut worth more than \$18,000. Meanwhile, an average Missouri family making \$44,000 a year would see a tax cut of about \$32 in 2022. Senior citizens on Social Security or receiving a pension would see little benefit from the bill, since Missouri law already exempts such income from tax, but they would feel the negative impacts of cuts to home-delivered meals and transportation to doctor appointments from the resulting revenue reductions.

**III. Senate Bill 509 Creates Dangerous Uncertainty**

The most far-reaching and potentially damaging aspect of Senate Substitute No. 3 for Senate Committee Substitute for Senate Bills Nos. 509 & 496 is the clear and unambiguous language eliminating the income tax altogether on Missourians with taxable incomes over \$9,000:

The bracket for income subject to the top rate of tax **shall be eliminated** once the top rate of tax has been reduced to five and one-half percent.

Section 143.011.2(4) (emphasis added). This single provision could blow a \$4.8 billion annual hole in the state budget—eliminating 97 percent of all income tax collections, cutting 65 percent of the state’s general revenue budget, and obliterating even basic funding for education and vital public services. Although legislators have portrayed this legislation as being free of the defects, unintentional or otherwise, that plagued last year’s Senate Substitute for House Bill No. 253 (2013), the \$1.2 billion drafting error in last year’s bill that caused the independent credit rating agencies to warn of a downgrade to the state’s spotless AAA credit rating, pales in comparison to the risk to our credit rating created by this year’s defect and its \$4.8 billion annual price tag.

**a. The Language of Senate Bill 509 is Clear and Unambiguous**

Under Senate Substitute No. 3 for Senate Committee Substitute for Senate Bills Nos. 509 & 496, Section 143.011 provides the income tax rates applicable to various levels—or brackets—of Missouri taxable income. As under current law, the bracket for income subject to the top rate of tax applies to taxpayers with Missouri taxable incomes of “Over \$9,000.” See Section 143.011. Section 143.011.2(1) of this legislation would reduce this top rate of tax by one-tenth of a percent each year until the top tax rate is reduced to five and one-half percent.

After the top tax rate has been reduced to five and one-half percent, Section 143.011.2(4), added by an amendment on the Senate floor, provides that the “bracket for income subject to the top rate of tax **shall be eliminated** . . .” (emphasis added). This language is clear and unambiguous—once the top rate of tax has been reduced to five and one-half percent, the “bracket for income subject to the top rate of tax”—“Over \$9,000”—would be eliminated. With this former top income bracket eliminated, Section 143.011.1 would have a new top tax bracket—“Over \$8,000 **but not over** \$9,000” (emphasis added). This new top tax bracket has an upper income limit—“but not over \$9,000”—and there is no language in the bill eliminating this upper income limit. With this new top tax bracket capped at \$9,000 in taxable income, Section 143.011.1 would no longer contain an income bracket or corresponding tax rate applicable to taxable incomes over \$9,000, leaving such taxpayers with no tax liability.

Further support for the clear and unambiguous language eliminating income tax on taxpayers with taxable income over \$9,000 is found when Section 143.011.2(4) is read *in pari materia* with the changes to Section 143.021, also added to the bill in the Senate floor amendment:

143.021. Every resident having a taxable income [of less than nine thousand dollars] shall determine his **or her** tax from [a tax table prescribed by the director of revenue and based upon] the rates provided in section 143.011. [The tax table shall be on the basis of one hundred dollar increments of taxable income below nine thousand dollars. The tax provided in the table shall be the amount rounded to the nearest whole dollar by applying the rates in section

<sup>3</sup> The lack of any limitation targeting the exemption to small businesses is in sharp contrast to previous tax relief measures I have signed that were directly targeted to small businesses. See, e.g., Section 143.173, RSMo (providing a tax deduction for small businesses consisting of fifty or fewer employees); Section 147.010, Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 191 (2009) (eliminating the franchise tax for small businesses).

143.011 to the taxable income at the midpoint of each increment, except] There shall be no tax on a taxable income of less than one hundred dollars. [Every resident having a taxable income of nine thousand dollars or more shall determine his tax from the rate provided in section 143.011.]

Section 143.021 (emphasis added). With the above change to Section 143.021, the General Assembly not once, but *twice* in just over four pages of legislative text, eliminated the reference to an income tax for individuals with taxable income in the top tax bracket. The elimination of all references to a tax on taxpayers with taxable income in the top income bracket in Section 143.021, confirms the clear and unambiguous language of Section 143.011.2(4) eliminating the top income bracket entirely.<sup>4</sup>

**b. Legislative Intent Is Derived From the Words Enacted**

Legislators have speculated in public comments that a court might ignore this clear and unambiguous language to avoid the dramatic consequences to the state's fiscal well-being that would result. However, post-enactment statements of individual legislators after a problem has been identified do not constitute legislative intent. "Legislative intent can only be derived from the words of the statute itself." *State v. Rowe*, 63 S.W.3d 647, 650 (Mo. banc 2002); *see also Spradlin v. City of Fulton*, 982 S.W.2d 255, 261 (Mo. banc 1998) (Price, J.) ("[C]ourts must give effect to the language as written."). Once a law has been enacted, a court must enforce the law by its terms and not by what individual legislators believed they were enacting. *See, e.g., Pipe Fabricators, Inc. v. Director of Revenue*, 654 S.W.2d 74, 76 (Mo. banc 1983) (affidavit of a former state senator as to the intent of use tax provision was inadmissible since court is bound by express written law, and not what may have been intended).

More fundamentally, passing a bill with a problem and then hoping a judge will fix it is an abdication of the legislature's responsibility under our tripartite system of government. Under our Constitution, "[t]he legislative branch is exclusively vested with the power to make laws." Mo. Const. Art. III, Section 1. This means that lawmakers must enact *laws*, not merely *ideas* for a court to one day mold into something workable. The words on the page are what matter, for those are the words that guide the conduct of Missourians. The test is not what individual legislators say they meant—the test is what the words actually *say*. Here, the clear and unambiguous language of Section 143.011.2(4) says to eliminate the top income bracket, the change to Section 143.021 reinforces the clear and unambiguous language of Section 143.011.2(4), and there is nothing in the words enacted to the contrary.<sup>5</sup>

If Senate Substitute No. 3 for Senate Committee Substitute for Senate Bills Nos. 509 & 496 were to become law, it could be years from now before the court upon which legislators have pinned their hopes determines whether a taxpayer is correct that his or her income tax was eliminated by this bill. Even if, as legislators hope, this hypothetical court finds the language eliminating the income tax to be ambiguous, the court would still be required to construe that ambiguity in favor of the taxpayer and against the taxing authority. *Street v. Director of Revenue*, 361 S.W.3d 355 (Mo. banc 2012) (interpreting an ambiguous tax statute in favor of the taxpayer to invalidate long-standing local taxes on out-of-state motor vehicle purchases). Although by that time most of the legislators who voted for this bill will no longer be in the General Assembly, it will nonetheless be their handiwork that lies in wait to undermine the fiscal foundation of our state. And if this future court, with its thumb on the scale in favor of the taxpayer, does not rule the way that legislators hope, the Hancock Amendment would make the drastic consequences its ruling extremely difficult to undo—asking voters to approve a nearly \$5 billion tax increase. Risking the long term fiscal stability of the state, our perfect AAA credit rating, funding for our education system, and the future of our economy on what a judge might someday do is an unconscionable dereliction of duty, a disservice to the people of Missouri, and one in which I will not be complicit.

In accordance with the above stated reasons for disapproval, I am returning Senate Substitute No. 3 for Senate Committee Substitute for Senate Bills Nos. 509 & 496 without my approval.

Sincerely,  
Jeremiah W. (Jay) Nixon  
Governor

<sup>4</sup> The first time during the legislative process that the language in Section 143.011.2(4) eliminating the bracket for income subject to the top rate of tax and the change to Section 143.021 eliminating the reference to incomes of \$9,000 or greater appeared in the bill was in the Senate floor amendment. Had the Senate floor amendment retained the reference in Section 143.021 to taxpayers with taxable incomes greater than \$9,000, as prior versions of the bill had done, the language in Section 143.011.2(4) eliminating the top income bracket might have been ambiguous, since Section 143.021 would have continued to imply that such taxpayers may still be subject to tax.

<sup>5</sup> Proponents of the bill have also parroted the canon of statutory construction whereby a court might ignore the plain language of a statute to avoid an "absurd result." Eliminating 97 percent of income tax collections and 65 percent of the state's general revenue budget would certainly be dramatic and fiscally damaging. However, this result would be consistent with recent proposals advanced in the Missouri General Assembly and by initiative petition aimed at eliminating the income tax, defunding public education, and otherwise "starving" government. Indeed, as proponents of such proposals have pointed out, there are a number of states that have no income tax and instead rely on expanded sales taxes, higher property taxes, severance taxes, or other revenue streams to fund education and necessary public services.

**HOUSE BILLS ON THIRD READING**

**HB 1092**, introduced by Representative Lant, et al, with **SCS**, entitled:

An Act to repeal section 210.145, RSMo, and to enact in lieu thereof one new section relating to child abuse investigations.

Was called from the Informal Calendar and taken up by Senator Dixon.

**SCS** for **HB 1092**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1092**

An Act to repeal sections 210.145, 210.152, 210.183, and 334.950, RSMo, and to enact in lieu thereof four new sections relating to child abuse investigations, with an existing penalty provision.

Was taken up.

Senator Dixon moved that **SCS** for **HB 1092** be adopted.

At the request of Senator Dixon, **HB 1092**, with **SCS** (pending), was placed on the Informal Calendar.

**VETOED BILLS**

Senator Kraus moved that **SS No. 3** for **SCS** for **SBs 509** and **496** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

**YEAS—Senators**

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

**NAYS—Senators**

Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton	Walsh—8
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Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

**REFERRALS**

President Pro Tem Dempsey referred **HCS** for **HBs 1861** and **1864**, with **SCS**; **HCS** for **HB 1326**, with **SCS**; **HCS** for **HB 1336**, with **SCS**; **HJR 48**; and **SS** for **SB 538** to the Committee on Governmental Accountability and Fiscal Oversight.

**HOUSE BILLS ON THIRD READING**

Senator Dixon moved that **HB 1092**, with **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SCS for **HB 1092** was again taken up.

Senator Brown offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 1092, Page 1, In the Title, Line 3, by striking “child abuse investigations” and inserting in lieu thereof the following: “child protection”; and

Further amend said bill and page, section A, line 3, by inserting immediately after said line the following:

“21.771. 1. There is established a joint committee of the general assembly to be known as the “Joint Committee on Child Abuse and Neglect” to be composed of seven members of the senate and seven members of the house of representatives. The senate members of the joint committee shall be appointed by the president pro tem and minority floor leader of the senate and the house members shall be appointed by the speaker and minority floor leader of the house of representatives. The appointment of each member shall continue during the member’s term of office as a member of the general assembly or until a successor has been appointed to fill the member’s place. No party shall be represented by more than four members from the house of representatives nor more than four members from the senate. A majority of the committee shall constitute a quorum, but the concurrence of a majority of the members shall be required for the determination of any matter within the committee’s duties.

2. The joint committee shall:

(1) Make a continuing study and analysis of the state child abuse and neglect reporting and investigation system;

(2) Devise a plan for improving the structured decision making regarding the removal of a child from a home;

(3) Determine the additional personnel and resources necessary to adequately protect the children of this state and improve their welfare and the welfare of families;

(4) Address the need for additional foster care homes and to improve the quality of care provided to abused and neglected children in the custody of the state;

(5) Determine from its study and analysis the need for changes in statutory law; [and]

(6) Make any other recommendation to the general assembly necessary to provide adequate protections for the children of our state; **and**

**(7) Make recommendations on how to improve abuse and neglect proceedings including examining the role of the judge, children’s division, the juvenile officer, the guardian ad litem, and the foster parents.**

3. The joint committee shall meet within thirty days after its creation and organize by selecting a chairperson and a vice chairperson, one of whom shall be a member of the senate and the other a member of the house of representatives. The chairperson shall alternate between members of the house and senate every two years after the committee’s organization.

4. The committee shall meet at least quarterly. The committee may meet at locations other than Jefferson

City when the committee deems it necessary.

5. The committee shall be staffed by legislative personnel as is deemed necessary to assist the committee in the performance of its duties.

6. The members of the committee shall serve without compensation but shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of their official duties.

7. It shall be the duty of the committee to compile a full report of its activities for submission to the general assembly. The report shall be submitted not later than the fifteenth of January of each year in which the general assembly convenes in regular session and shall include any recommendations which the committee may have for legislative action as well as any recommendations for administrative or procedural changes in the internal management or organization of state or local government agencies and departments. Copies of the report containing such recommendations shall be sent to the appropriate directors of state or local government agencies or departments included in the report.

8. The provisions of this section shall expire on January 15, 2018.

37.710. 1. The office shall have access to the following information:

(1) The names and physical location of all children in protective services, treatment, or other programs under the jurisdiction of the children's division, the department of mental health, and the juvenile court;

(2) All written reports of child abuse and neglect; and

(3) All current records required to be maintained pursuant to chapters 210 and 211.

2. The office shall have the authority:

(1) To communicate privately by any means possible with any child under protective services and anyone working with the child, including the family, relatives, courts, employees of the department of social services and the department of mental health, and other persons or entities providing treatment and services;

(2) To have access, including the right to inspect, copy and subpoena records held by the clerk of the juvenile or family court, juvenile officers, law enforcement agencies, institutions, public or private, and other agencies, or persons with whom a particular child has been either voluntarily or otherwise placed for care, or has received treatment within this state or in another state;

(3) To work in conjunction with juvenile officers and guardians ad litem;

(4) To file any findings or reports of the child advocate regarding the parent or child with the court, and issue recommendations regarding the disposition of an investigation, which may be provided to the court and to the investigating agency;

(5) To file amicus curiae briefs on behalf of the interests of the parent or child, **or to file such pleadings necessary to intervene on behalf of the child at the appropriate judicial level using the resources of the office of the attorney general;**

(6) To initiate meetings with the department of social services, the department of mental health, the juvenile court, and juvenile officers;

(7) To take whatever steps are appropriate to see that persons are made aware of the services of the child

advocate's office, its purpose, and how it can be contacted;

(8) To apply for and accept grants, gifts, and bequests of funds from other states, federal, and interstate agencies, and independent authorities, private firms, individuals, and foundations to carry out his or her duties and responsibilities. The funds shall be deposited in a dedicated account established within the office to permit moneys to be expended in accordance with the provisions of the grant or bequest;

(9) Subject to appropriation, to establish as needed local panels on a regional or county basis to adequately and efficiently carry out the functions and duties of the office, and address complaints in a timely manner; and

(10) To mediate between alleged victims of sexual misconduct and school districts or charter schools as provided in subsection 1 of section 160.262.

3. For any information obtained from a state agency or entity under sections 37.700 to 37.730, the office of child advocate shall be subject to the same disclosure restrictions and confidentiality requirements that apply to the state agency or entity providing such information to the office of child advocate. For information obtained directly by the office of child advocate under sections 37.700 to 37.730, the office of child advocate shall be subject to the same disclosure restrictions and confidentiality requirements that apply to the children's division regarding information obtained during a child abuse and neglect investigation resulting in an unsubstantiated report.”; and

Further amend said bill, page 11, section 210.152, line 109, by inserting immediately after said line the following:

“210.160. 1. In every case involving an abused or neglected child which results in a judicial proceeding, the judge shall appoint a guardian ad litem to appear for and represent:

(1) A child who is the subject of proceedings pursuant to sections 210.110 to 210.165 **except proceedings under subsection 6 of section 210.152**, sections 210.700 to 210.760, sections 211.442 to 211.487, or sections 453.005 to 453.170, or proceedings to determine custody or visitation rights under sections 452.375 to 452.410; or

(2) A parent who is a minor, or who is a mentally ill person or otherwise incompetent, and whose child is the subject of proceedings under sections 210.110 to 210.165, sections 210.700 to 210.760, sections 211.442 to 211.487, or sections 453.005 to 453.170.

**2. The judge, either sua sponte or upon motion of a party, may appoint a guardian ad litem to appear for and represent an abused or neglected child involved in proceedings arising under subsection 6 of section 210.152.**

[2.] **3.** The guardian ad litem shall be provided with all reports relevant to the case made to or by any agency or person, shall have access to all records of such agencies or persons relating to the child or such child's family members or placements of the child, and upon appointment by the court to a case, shall be informed of and have the right to attend any and all family support team meetings involving the child. Employees of the division, officers of the court, and employees of any agency involved shall fully inform the guardian ad litem of all aspects of the case of which they have knowledge or belief.

[3.] **4.** The appointing judge shall require the guardian ad litem to faithfully discharge such guardian ad litem's duties, and upon failure to do so shall discharge such guardian ad litem and appoint another. The

appointing judge shall have the authority to examine the general and criminal background of persons appointed as guardians ad litem, including utilization of the family care safety registry and access line pursuant to sections 210.900 to 210.937, to ensure the safety and welfare of the children such persons are appointed to represent. The judge in making appointments pursuant to this section shall give preference to persons who served as guardian ad litem for the child in the earlier proceeding, unless there is a reason on the record for not giving such preference.

[4.] 5. The guardian ad litem may be awarded a reasonable fee for such services to be set by the court. The court, in its discretion, may award such fees as a judgment to be paid by any party to the proceedings or from public funds. However, no fees as a judgment shall be taxed against a party or parties who have not been found to have abused or neglected a child or children. Such an award of guardian fees shall constitute a final judgment in favor of the guardian ad litem. Such final judgment shall be enforceable against the parties in accordance with chapter 513.

[5.] 6. The court may designate volunteer advocates, who may or may not be attorneys licensed to practice law, to assist in the performance of the guardian ad litem duties for the court. Nonattorney volunteer advocates shall not provide legal representation. The court shall have the authority to examine the general and criminal background of persons designated as volunteer advocates, including utilization of the family care safety registry and access line pursuant to sections 210.900 to 210.937, to ensure the safety and welfare of the children such persons are designated to represent. The volunteer advocate shall be provided with all reports relevant to the case made to or by any agency or person, shall have access to all records of such agencies or persons relating to the child or such child's family members or placements of the child, and upon designation by the court to a case, shall be informed of and have the right to attend any and all family support team meetings involving the child. Any such designated person shall receive no compensation from public funds. This shall not preclude reimbursement for reasonable expenses.

[6.] 7. Any person appointed to perform guardian ad litem duties shall have completed a training program in permanency planning and shall advocate for timely court hearings whenever possible to attain permanency for a child as expeditiously as possible to reduce the effects that prolonged foster care may have on a child. A nonattorney volunteer advocate shall have access to a court appointed attorney guardian ad litem should the circumstances of the particular case so require.”; and

Further amend said bill, page 14, section 334.950, line 50, by inserting immediately after said line the following:

“431.056. 1. A minor shall be qualified and competent to contract for housing, employment, purchase of an automobile, receipt of a student loan, admission to high school or postsecondary school, obtaining medical care, establishing a bank account, admission to a shelter for victims of domestic violence, as defined in section 455.200, or a homeless shelter, and receipt of services as a victim of domestic [and] **violence or sexual [violence] abuse**, including but not limited to counseling, court advocacy, financial assistance, and other advocacy services, if:

(1) The minor is sixteen or seventeen years of age; and

(2) The minor is homeless, as defined in subsection 1 of section 167.020, or a victim of domestic violence, as defined in section 455.200, unless the child is under the supervision of the children's division or the jurisdiction of the juvenile court; and



(3) The minor is self-supporting, such that the minor is without the physical or financial support of a parent or legal guardian; and

(4) The minor's parent or legal guardian has consented to the minor living independent of the parents' or guardians' control. Consent may be expressed or implied, such that:

(a) Expressed consent is any verbal or written statement made by the parents or guardian of the minor displaying approval or agreement that the minor may live independently of the parent's or guardian's control;

(b) Implied consent is any action made by the parent or guardian of the minor that indicates the parent or guardian is unwilling or unable to adequately care for the minor. Such actions may include, but are not limited to:

a. Barring the minor from the home or otherwise indicating that the minor is not welcome to stay;

b. Refusing to provide any or all financial support for the minor; or

c. Abusing or neglecting the minor, as defined in section 210.110 **or committing an act or acts of domestic violence against the minor, as defined in section 455.010.**

**2. A minor who is sixteen years of age or older and who is in the legal custody of the children's division pursuant to an order of a court of competent jurisdiction shall be qualified and competent to contract for the purchase of automobile insurance with the consent of the children's division or the juvenile court. The minor shall be responsible for paying the costs of the insurance premiums and shall be liable for damages caused by his or her negligent operation of a motor vehicle. No state department, foster parent, or entity providing case management of children on behalf of a department shall be responsible for paying any insurance premiums nor liable for any damages of any kind as a result of the operation of a motor vehicle by the minor.**

**Section 1. A foster parent shall have standing to participate in all court hearings pertaining to a child in their care.”; and**

Further amend the title and enacting clause accordingly.

Senator Brown moved that the above amendment be adopted, which motion prevailed.

Senator Dixon moved that **SCS for HB 1092**, as amended, be adopted, which motion prevailed.

On motion of Senator Dixon, **SCS for HB 1092**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS for HB 1631, with SCS, entitled:**

An Act to amend chapter 643, RSMo, by adding thereto one new section relating to the air conservation commission.

Was called from the Informal Calendar and taken up by Senator Lager.

**SCS for HCS for HB 1631, entitled:**

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1631

An Act to amend chapter 643, RSMo, by adding thereto one new section relating to the air conservation commission.

Was taken up.

Senator Lager moved that **SCS for HCS for HB 1631** be adopted.

Senator Holsman offered **SA 1:**

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1631, Page 1, In the Title, Lines 2-3, by striking “the air conservation commission” and inserting in lieu thereof the following: “energy”; and

Further amend said bill and page, section A, line 2, by inserting immediately after said line the following:

“393.1030. 1. The commission shall, in consultation with the department, prescribe by rule a portfolio requirement for all electric utilities to generate or purchase electricity generated from renewable energy resources. Such portfolio requirement shall provide that electricity from renewable energy resources shall constitute the following portions of each electric utility's sales:

- (1) No less than two percent for calendar years 2011 through 2013;
- (2) No less than five percent for calendar years 2014 through 2017;
- (3) No less than ten percent for calendar years 2018 through 2020; and

(4) No less than fifteen percent in each calendar year beginning in 2021.

At least two percent of each portfolio requirement shall be derived from solar energy. The portfolio requirements shall apply to all power sold to Missouri consumers whether such power is self-generated or purchased from another source in or outside of this state. A utility may comply with the standard in whole or in part by purchasing RECs. Each kilowatt-hour of eligible energy generated in Missouri shall count as 1.25 kilowatt-hours for purposes of compliance.

2. The commission, in consultation with the department and within one year of November 4, 2008, shall select a program for tracking and verifying the trading of renewable energy credits. An unused credit may exist for up to three years from the date of its creation. A credit may be used only once to comply with sections 393.1020 to 393.1030 and may not also be used to satisfy any similar nonfederal requirement. An electric utility may not use a credit derived from a green pricing program. Certificates from net-metered sources shall initially be owned by the customer-generator. The commission, except where the department is specified, shall make whatever rules are necessary to enforce the renewable energy standard. Such rules shall include:

(1) A maximum average retail rate increase of one percent determined by estimating and comparing the electric utility's cost of compliance with least-cost renewable generation and the cost of continuing to generate or purchase electricity from entirely nonrenewable sources, taking into proper account future environmental regulatory risk including the risk of greenhouse gas regulation. Notwithstanding the foregoing, until June 30, 2020, if the maximum average retail rate increase would be less than or equal to one percent if an electric utility's investment in solar-related projects initiated, owned or operated by the electric utility is ignored for purposes of calculating the increase, then additional solar rebates shall be paid and included in rates in an amount up to the amount that would produce a retail rate increase equal to the difference between a one percent retail rate increase and the retail rate increase calculated when ignoring an electric utility's investment in solar-related projects initiated, owned, or operated by the electric utility. Notwithstanding any provision to the contrary in this section, even if the payment of additional solar rebates will produce a maximum average retail rate increase of greater than one percent when an electric utility's investment in solar-related projects initiated, owned or operated by the electric utility are included in the calculation, the additional solar rebate costs shall be included in the prudently incurred costs to be recovered as contemplated by subdivision (4) of this subsection;

(2) Penalties of at least twice the average market value of renewable energy credits for the compliance period for failure to meet the targets of subsection 1 of this section. An electric utility will be excused if it proves to the commission that failure was due to events beyond its reasonable control that could not have been reasonably mitigated, or that the maximum average retail rate increase has been reached. Penalties shall not be recovered from customers. Amounts forfeited under this section shall be remitted to the department to purchase renewable energy credits needed for compliance. Any excess forfeited revenues shall be used by the department's energy center solely for renewable energy and energy efficiency projects;

(3) Provisions for an annual report to be filed by each electric utility in a format sufficient to document its progress in meeting the targets;

(4) Provision for recovery outside the context of a regular rate case of prudently incurred costs and the pass-through of benefits to customers of any savings achieved by an electrical corporation in meeting the requirements of this section.

3. As provided for in this section, except for those electrical corporations that qualify for an exemption under section 393.1050, each electric utility shall make available to its retail customers a solar rebate for new or expanded solar electric systems sited on customers' premises, up to a maximum of twenty-five kilowatts per system, measured in direct current that were confirmed by the electric utility to have become operational in compliance with the provisions of section 386.890. The solar rebates shall be two dollars per watt for systems becoming operational on or before June 30, 2014; one dollar and fifty cents per watt for systems becoming operational between July 1, 2014, and June 30, 2015; one dollar per watt for systems becoming operational between July 1, 2015, and June 30, 2016; fifty cents per watt for systems becoming operational between July 1, 2016, and June 30, 2017; fifty cents per watt for systems becoming operational between July 1, 2017, and June 30, 2019; twenty-five cents per watt for systems becoming operational between July 1, 2019, and June 30, 2020; and zero cents per watt for systems becoming operational after June 30, 2020. An electric utility may, through its tariffs, require applications for rebates to be submitted up to one hundred eighty-two days prior to the June thirtieth operational date. Nothing in this section shall prevent an electrical corporation from offering rebates after July 1, 2020, through an approved tariff. If the electric utility determines the maximum average retail rate increase provided for in subdivision (1) of subsection 2 of this section will be reached in any calendar year, the electric utility shall be entitled to cease paying rebates to the extent necessary to avoid exceeding the maximum average retail rate increase if the electrical corporation files with the commission to suspend its rebate tariff for the remainder of that calendar year at least sixty days prior to the change taking effect. The filing with the commission to suspend the electrical corporation's rebate tariff shall include the calculation reflecting that the maximum average retail rate increase will be reached and supporting documentation reflecting that the maximum average retail rate increase will be reached. **In determining the maximum average retail rate increase, only the costs associated with electric generation, which has been placed into service directly related to the renewable energy standard compliance, shall be counted toward the maximum average retail rate increase.** The commission shall rule on the suspension filing within sixty days of the date it is filed. If the commission determines that the maximum average retail rate increase will be reached, the commission shall approve the tariff suspension. The electric utility shall continue to process and pay applicable solar rebates until a final commission ruling; however, if the continued payment causes the electric utility to pay rebates that cause it to exceed the maximum average retail rate increase, the expenditures shall be considered prudently incurred costs as contemplated by subdivision (4) of subsection 2 of this section and shall be recoverable as such by the electric utility. As a condition of receiving a rebate, customers shall transfer to the electric utility all right, title, and interest in and to the renewable energy credits associated with the new or expanded solar electric system that qualified the customer for the solar rebate for a period of ten years from the date the electric utility confirmed that the solar electric system was installed and operational.

4. The department shall, in consultation with the commission, establish by rule a certification process for electricity generated from renewable resources and used to fulfill the requirements of subsection 1 of this section. Certification criteria for renewable energy generation shall be determined by factors that include fuel type, technology, and the environmental impacts of the generating facility. Renewable energy facilities shall not cause undue adverse air, water, or land use impacts, including impacts associated with the gathering of generation feedstocks. If any amount of fossil fuel is used with renewable energy resources, only the portion of electrical output attributable to renewable energy resources shall be used to fulfill the portfolio requirements.

5. In carrying out the provisions of this section, the commission and the department shall include

methane generated from the anaerobic digestion of farm animal waste and thermal depolymerization or pyrolysis for converting waste material to energy as renewable energy resources for purposes of this section.

6. The commission shall have the authority to promulgate rules for the implementation of this section, but only to the extent such rules are consistent with, and do not delay the implementation of, the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Holsman moved that the above amendment be adopted.

Senator Lager raised the point of order that **SA 1** is out of order in that it goes beyond the scope of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Nieves assumed the Chair.

Senator Lager moved that **SCS** for **HCS** for **HB 1631** be adopted, which motion prevailed.

On motion of Senator Lager, **SCS** for **HCS** for **HB 1631** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	LeVota	Libla	Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

NAYS—Senators

Curls	Holsman	Justus	Keaveny	Nasheed	Sifton	Walsh—7
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Absent—Senator Sater—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**PRIVILEGED MOTIONS**

Senator Schaefer moved that the Senate conferees on **SS** for **SCS** for **HCS** for **HB 2011** be allowed to exceed the differences in Section 11.440, which motion prevailed.

**HOUSE BILLS ON THIRD READING**

**HB 1190**, introduced by Representative Kelley (127), et al, with **SCS**, entitled:

An Act to repeal section 304.180, RSMo, and to enact in lieu thereof one new section relating to emergency utility response permits.

Was called from the Informal Calendar and taken up by Senator Kehoe.

**SCS** for **HB 1190**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1190**

An Act to repeal sections 143.041, 143.071, 143.191, 144.610, 285.230, 285.232, 285.233, 285.234, and 304.180, RSMo, and to enact in lieu thereof thirteen new sections relating to facilitating rapid response to disasters, with an existing penalty provision.

Was taken up.

Senator Kehoe moved that **SCS** for **HB 1190** be adopted.

Senator Kehoe offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for House Bill No. 1190, Page 7, Section 190.285, Line 28, by inserting after all of said line the following:

**“190.286. The provisions of sections 190.270 to 190.285 shall not grant exemptions authorized by the facilitating business rapid response to state declared disasters act to any out of state business performing work pursuant to a request for bid or request for proposal by a state agency or political subdivision.”; and**

Further amend the title and enacting clause accordingly.

Senator Kehoe moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe moved that **SCS** for **HB 1190**, as amended, be adopted, which motion prevailed.

On motion of Senator Kehoe, **SCS** for **HB 1190**, as amended, was read the 3rd time and passed by the following vote:

**YEAS—Senators**

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS for HRB 1299, with SCS, entitled:**

An Act to repeal sections 3.070, 8.700, 8.110, 8.115, 8.180, 8.200, 8.260, 8.310, 8.315, 8.316, 8.320, 8.325, 8.330, 8.340, 8.350, 8.360, 8.800, 8.830, 8.843, 33.710, 33.750, 33.752, 33.753, 33.756, 34.031, 36.030, 37.005, 37.010, 37.020, 37.110, 43.251, 64.090, 89.020, 135.326, 135.335, 135.339, 143.782, 143.790, 143.1002, 160.700, 160.545, 161.418, 161.424, 167.034, 167.122, 167.123, 169.520, 172.875, 181.110, 186.019, 189.095, 191.737, 191.850, 191.853, 191.855, 191.857, 191.858, 191.859, 191.861, 191.863, 191.865, 191.867, 192.601, 192.935, 193.075, 193.215, 196.1103, 197.312, 197.318, 197.367, 198.018, 198.026, 198.029, 198.077, 198.080, 198.087, 198.090, 198.189, 198.421, 198.428, 198.510, 198.515, 199.025, 205.960, 205.961, 205.962, 205.964, 205.965, 207.010, 207.020, 207.030, 207.070, 207.080, 208.015, 208.030, 208.041, 208.042, 208.047, 208.050, 208.060, 208.070, 208.072, 208.075, 208.080, 208.100, 208.120, 208.125, 208.130, 208.145, 208.150, 208.152, 208.154, 208.156, 208.157, 208.164, 208.165, 208.168, 208.175, 208.176, 208.180, 208.182, 208.190, 208.204, 208.210, 208.217, 208.225, 208.300, 208.325, 208.337, 208.345, 208.400, 208.405, 208.471, 208.477, 208.533, 208.606, 208.609, 208.621, 208.636, 208.780, 209.010, 209.020, 209.030, 209.050, 209.060, 209.070, 209.080, 209.090, 209.100, 209.110, 209.240, 209.251, 210.001, 210.115, 210.165, 210.166, 210.167, 210.192, 210.196, 210.254, 210.481, 210.536, 210.537, 210.543, 210.545, 210.551, 210.560, 210.720, 210.829, 210.830, 210.834, 210.843, 210.846, 210.870, 210.900, 210.950, 211.081, 211.180, 211.183, 211.455, 211.477, 217.575, 226.008, 226.805, 251.100, 251.240, 253.320, 261.010, 285.300, 288.220, 288.270, 301.020, 302.133, 302.134, 302.135, 302.137, 302.171, 302.178, 311.650, 313.210, 320.260, 324.032, 334.125, 338.314, 361.010, 376.819, 452.345, 452.346, 452.347, 452.350, 452.370, 452.416, 453.005, 453.014, 453.015, 453.026, 453.065, 453.070, 453.074, 453.077, 453.102, 453.110, 453.400, 454.400, 454.403, 454.405, 454.408, 454.415, 454.420, 454.425, 454.430, 454.432, 454.433, 454.435, 454.440, 454.445, 454.450, 454.455, 454.460, 454.465, 454.472, 454.478, 454.490, 454.495, 454.496, 454.500, 454.505, 454.513, 454.530, 454.531, 454.565, 454.600, 454.700, 454.853, 454.902, 454.1000, 454.1003, 454.1023, 454.1027, 454.1029, 483.163, 487.080, 487.150, 513.430, 516.350, 577.608, 590.040, 595.030, 595.036, 595.037, 595.060, 610.029, 610.120, 620.010, 620.483, 620.490, 620.556, 620.558, 620.560, 620.562, 620.566, 620.570, 620.572, 620.1100, 620.1580, 630.097, 632.070, 650.005, 660.010, 660.050, 660.053, 660.054, 660.055, 660.057, 660.058, 660.060, 660.062, 660.067, 660.069, 660.070, 660.075, 660.130, 660.225, 660.250, 660.255, 660.260, 660.261, 660.263, 660.265, 660.270, 660.275, 660.280, 660.285, 660.290, 660.295, 660.300, 660.305, 660.310, 660.315, 660.317, 660.320, 660.321, 660.400, 660.403, 660.405, 660.407, 660.409, 660.411, 660.414, 660.416, 660.418, 660.420, 660.523, 660.525,

660.526, 660.600, 660.603, 660.605, 660.608, 660.620, 660.690, and 701.336, RSMo, and to enact in lieu thereof three hundred forty new sections for the sole purpose of codifying previous executive branch reorganizations, with penalty provisions.

Was called from the Informal Calendar and taken up by Senator Lager.

**SCS** for **HCS** for **HRB 1299**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE REVISION BILL NO. 1299

An Act to repeal sections 3.070, 8.700, 8.110, 8.115, 8.180, 8.200, 8.260, 8.310, 8.315, 8.316, 8.320, 8.325, 8.330, 8.340, 8.350, 8.360, 8.800, 8.830, 8.843, 33.710, 33.750, 33.752, 33.753, 33.756, 34.031, 36.030, 37.005, 37.010, 37.020, 37.110, 43.251, 64.090, 89.020, 135.326, 135.335, 135.339, 143.782, 143.790, 143.1002, 160.545, 160.700, 161.418, 161.424, 167.034, 167.122, 167.123, 169.520, 172.875, 181.110, 186.019, 189.095, 191.737, 191.850, 191.853, 191.855, 191.857, 191.858, 191.859, 191.861, 191.863, 191.865, 191.867, 192.601, 192.935, 193.075, 193.215, 196.1103, 197.312, 197.318, 197.367, 198.018, 198.026, 198.029, 198.077, 198.080, 198.087, 198.090, 198.189, 198.421, 198.428, 198.510, 198.515, 199.025, 205.960, 205.961, 205.962, 205.964, 205.965, 207.010, 207.020, 207.030, 207.070, 207.080, 208.015, 208.030, 208.041, 208.042, 208.047, 208.050, 208.060, 208.070, 208.072, 208.075, 208.080, 208.100, 208.120, 208.125, 208.130, 208.145, 208.150, 208.152, 208.154, 208.157, 208.168, 208.175, 208.176, 208.180, 208.182, 208.190, 208.204, 208.210, 208.217, 208.225, 208.300, 208.325, 208.337, 208.345, 208.400, 208.405, 208.471, 208.477, 208.533, 208.606, 208.609, 208.621, 208.636, 208.780, 209.010, 209.020, 209.030, 209.050, 209.060, 209.070, 209.080, 209.090, 209.100, 209.110, 209.240, 209.251, 210.001, 210.115, 210.165, 210.166, 210.167, 210.192, 210.196, 210.254, 210.481, 210.536, 210.537, 210.543, 210.545, 210.551, 210.560, 210.720, 210.829, 210.830, 210.834, 210.843, 210.846, 210.870, 210.900, 210.950, 211.081, 211.180, 211.183, 211.455, 211.477, 217.575, 226.008, 226.805, 251.100, 251.240, 253.320, 261.010, 285.300, 288.220, 288.270, 301.020, 302.133, 302.134, 302.135, 302.137, 302.171, 302.178, 311.650, 313.210, 320.260, 324.032, 334.125, 338.314, 361.010, 376.819, 452.345, 452.346, 452.347, 452.350, 452.370, 452.416, 453.005, 453.014, 453.015, 453.026, 453.065, 453.070, 453.074, 453.077, 453.102, 453.110, 453.400, 454.400, 454.403, 454.405, 454.408, 454.415, 454.420, 454.425, 454.430, 454.432, 454.433, 454.435, 454.440, 454.445, 454.450, 454.455, 454.460, 454.465, 454.472, 454.478, 454.490, 454.495, 454.496, 454.500, 454.505, 454.513, 454.530, 454.531, 454.565, 454.600, 454.700, 454.853, 454.902, 454.1000, 454.1003, 454.1023, 454.1027, 454.1029, 483.163, 487.080, 487.150, 513.430, 516.350, 577.608, 590.040, 595.030, 595.036, 595.037, 595.060, 610.029, 610.120, 620.010, 620.483, 620.490, 620.556, 620.558, 620.560, 620.562, 620.566, 620.570, 620.572, 620.1100, 620.1580, 630.097, 632.070, 650.005, 660.010, 660.050, 660.053, 660.054, 660.055, 660.057, 660.058, 660.060, 660.062, 660.067, 660.069, 660.070, 660.075, 660.130, 660.225, 660.250, 660.255, 660.260, 660.261, 660.263, 660.265, 660.270, 660.275, 660.280, 660.285, 660.290, 660.295, 660.300, 660.305, 660.310, 660.315, 660.317, 660.320, 660.321, 660.400, 660.403, 660.405, 660.407, 660.409, 660.411, 660.414, 660.416, 660.418, 660.420, 660.523, 660.525, 660.526, 660.600, 660.603, 660.605, 660.608, 660.620, 660.690, and 701.336, RSMo, and to enact in lieu thereof three hundred thirty-seven new sections for the sole purpose of codifying previous executive branch reorganizations, with penalty provisions.

Was taken up.



Senator Lager moved that **SCS** for **HCS** for **HRB 1299** be adopted, which motion prevailed.

On motion of Senator Lager, **SCS** for **HCS** for **HRB 1299** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 1791**, introduced by Representative Fitzwater, et al, with **SCS**, entitled:

An Act to authorize the conveyance of certain state properties.

Was called from the Informal Calendar and taken up by Senator Romine.

**SCS** for **HB 1791**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1791

An Act to authorize the governor to convey property owned by the state.

Was taken up.

Senator Romine moved that **SCS** for **HB 1791** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 1791, Page 17, Section 18, Line 31, by inserting after all of said line the following:

**“Section 19. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in property located the City of St. Joseph, Buchanan County, Missouri, described as follows:**

**Tract 1**

That part of the northwest quarter of section thirty-four (34), Township fifty-eight (58) north, range thirty-five (35) west, described as follows: Beginning at a point three hundred sixty-six and nine hundredths (366.9) feet north of the center of said Section thirty-four (34), thence north one hundred forty-and seventy-one hundredths (140.71) feet, thence west twenty-six and seventeen hundredths (26.17) feet, thence southeasterly on a curve to the left having a radius of one thousand nine hundred fifty-five and eight hundredths (1955.08) feet, one hundred forty-three and forty-four hundredths (143.44) feet to the point of beginning and containing forty-three thousandths (0.043) of an acre.

Also beginning at a point six hundred eighty-five and sixty-one hundredths (685.61) feet north of the center of said Section thirty-four (34), thence north three hundred twenty and twenty-eight hundredths (320.28) feet to present right of way line of State highway Route 4, thence southwesterly along said right of way line one hundred eighty and one hundred sixty-two thousandths (180.162) feet, thence east fifty-seven and fifty-nine hundredths (57.59) feet, thence south fifty-three and eight hundredths (53.08) feet, thence southerly to the left on a curve having a radius of one thousand nine hundred fifty and eight hundredths (1950.08) feet, one hundred nineteen and eight-five hundredths (119.85) feet to a point thirty-nine and twenty-seven hundredths (39.27) west of point of beginning, thence east thirty-nine and twenty-seven hundredths (39.27) feet to point of beginning and containing three hundred twenty-four thousandths (0.324) of an acre.

**Tract 2**

That part of the northwest quarter of Section thirty-four (34), Township fifty-eight (58) north, Range thirty-five (35) west, more particularly described as

Tract #1, being bounded by a line beginning at a point which is two hundred sixty-two and four tenths (262.4) feet north of the center of said Section thirty-four (34), thence west five (5) feet, thence northwesterly to right on the arc of a curve having a radius of one thousand nine hundred eighty-five and eight hundredths (1985.08) feet and extending a distance of two hundred fifty and thirty-seven hundredths (250.37) feet, thence east thirty and thirty-six hundredths (30.36) feet to the westerly right of way line of existing highway, thence southeasterly to left on the arc of a curve having a radius of one thousand nine hundred fifty-five and eight hundredths (1955.08) feet and extending a distance of one hundred forty-three and forty-four hundredths (143.44) feet, thence south one hundred three and sixty-nine hundredths (103.69) feet to said point of beginning.

Tract #1A, being bounded by a line beginning at a point which is five hundred six and eight tenths (506.8) feet north and one hundred sixty-five and fifty-four hundredths (165.54) feet west of the center of said Section thirty-four (34), thence west one hundred thirty-one and nine hundredths (131.09) feet to the easterly right of way line of City Route U.S. 71, thence southwesterly along said right of way line two hundred seventy-

nine and seventy-eight hundredths (279.78) feet to grantor's south property line, thence east forty-five and sixty-three hundredths (45.63) feet, thence northeasterly to right on the arc of a curve having a radius of nine hundred and thirty-seven hundredths (900.37) feet and extending a distance of three hundred thirty-one and eighty-two hundredths (331.82) feet to said point of beginning.

Said Tracts #1 and 1A are for right of way for State Highway Route U.S. 71 and contain fifty-six hundredths (0.56) of an acre.

### **Tract 3**

That part of the northwest quarter of Section thirty-four (34), Township fifty-eight (58) north, Range thirty-five (35) west, described as follows:

Beginning at a point five hundred six and eight tenths (506.8) feet north of the center of said Section thirty-four (34), thence north sixty-nine and seven tenths (69.7) feet, thence west thirty-five and twenty-two hundredths (35.22) feet, thence southeasterly on a curve to the left having a radius of one thousand nine hundred fifty-five and eight hundredths (1955.08) feet, seventy and thirty-nine hundredths (70.39) feet to a point twenty-six and seventeen hundredths (26.17) feet west of the point of beginning, thence east twenty-six and seventeen hundredths (26.17) feet to point of beginning and containing forty-nine thousandths (0.049) of an acre.

Said tract of land being for right of way for said Highway.

### **Tract 4**

Beginning at a point five hundred seventy-six and five tenths (576.5) feet north of the southeast corner of the northwest quarter of Section thirty-four (34), Township fifty-eight (58) north, Range thirty-five (35) west, thence west two hundred ninety-two and sixty-nine hundredths (292.69) feet to the centerline of U.S. Highway No. 71, thence southwesterly seventy-nine and eighty-five hundredths (79.85) feet along the centerline of said highway, thence east three hundred thirty-two and forty-one hundredths (332.41) feet to the east line of said northwest quarter section, thence north sixty-nine and seven tenths (69.7) feet to the point of beginning.

Said tract is for right of way for State Highway Route U.S. 71 and contains thirty-nine hundredths (0.39) of an acre.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve as to form the instrument of conveyance.”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Dixon offered SA 2:

## SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Bill No. 1791, Page 17, Section 18, Line 31, by inserting after all of said line the following:

“Section B. Because of the need to expedite the conveyance of land in Greene County, the enactment of section 18 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 18 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Romine moved that **SCS** for **HB 1791**, as amended, be adopted, which motion prevailed.

On motion of Senator Romine, **SCS** for **HB 1791**, as amended, was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

## NAYS—Senators—None

Absent—Senator Kraus—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

## YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

## NAYS—Senators—None

Absent—Senators

Kraus                Schmitt—2

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 1779**, with **SCS**, entitled:

An Act to repeal section 630.175, RSMo, and to enact in lieu thereof one new section relating to advanced practice registered nurses.

Was called from the Informal Calendar and taken up by Senator Schaaf.

**SCS** for **HCS** for **HB 1779**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1779

An Act to repeal section 630.175, RSMo, and to enact in lieu thereof one new section relating to mental health facility safety provisions.

Was taken up.

Senator Schaaf moved that **SCS** for **HCS** for **HB 1779** be adopted, which motion prevailed.

On motion of Senator Schaaf, **SCS** for **HCS** for **HB 1779** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Nasheed—1

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 1300**, entitled:

An Act to repeal section 321.200, RSMo, and to enact in lieu thereof one new section relating to fire

protection district board meetings.

Was called from the Informal Calendar and taken up by Senator Schaefer.

On motion of Senator Schaefer, **HCS** for **HB 1300** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senator Parson—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 1206**, introduced by Representative Wilson, entitled:

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the transfer of property by the governing bodies of certain public institutions of higher education, with an emergency clause.

Was called from the Informal Calendar and taken up by Senator Pearce.

On motion of Senator Pearce, **HB 1206** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Dixon moved that **HB 1495**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Dixon, **SS** for **SCS** for **HB 1495** was withdrawn.

Senator Dixon offered **SS No. 2** for **SCS** for **HB 1495**, entitled:

SENATE SUBSTITUTE NO. 2 FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1495

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to early stage business development corporations.

Senator Dixon moved that **SS No. 2** for **SCS** for **HB 1495** be adopted.

At the request of Senator Dixon, **HB 1495**, with **SCS** and **SS No. 2** for **SCS** (pending), was placed on the Informal Calendar.

**HOUSE BILLS ON SECOND READING**

The following Bills were read the 2nd time and referred to the Committees indicated:

**HB 1792**—Rules, Joint Rules, Resolutions and Ethics.

**HCS** for **HB 2020**—Appropriations.

**HB 1157**—Education.

**HB 2163**—Transportation and Infrastructure.

**HCS** for **HB 2141**—Transportation and Infrastructure.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 706**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 892**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 639**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 796**.

With House Amendment No. 1.

### HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 796, Page 1, In the Title, Line 3, by inserting immediately after the word “provision” the phrase “, with an emergency clause”; and

Further amend said bill and said page, Section 451.040, Line 11, by inserting immediately after the word “**incarceration**” the following:

“**or because the applicant has been called or ordered to active military duty out of the state or country**”; and

Further amend said page and said section, Line 14, by inserting immediately after the word “**incarcerated**” the words “**or military**”; and

Further amend said section, Page 2, Line 19, by inserting immediately after the word “**incarcerated**” the words “**or military**”; and

Further amend said page and said section, Line 20, by inserting immediately after the word “**incarcerated**” the words “**or military**”; and

Further amend said page and said section, Line 22, by inserting immediately after the word “**incarcerated**” the words “**or military**”; and

Further amend said page and said section, Line 24, by inserting immediately after the word



**“incarcerated”** the words **“or military”**; and

Further amend said page and said section, Lines 24-30, by deleting all of said lines and inserting in lieu thereof the following:

**“(e) An attestation signed by the incarcerated or military applicant stating in substantial part that the applicant is unable to appear in the presence of the recording of deeds as a result of the applicant’s incarceration or because the applicant has been called or ordered to active military duty out of the state or country, which will be verified by the professional or official who directs the operation of the jail or prison or the military applicant’s military officer, or such professional’s or official’s designee, and acknowledged by a notary public commissioned by the state of Missouri at the time of verification. However, in the case of an applicant who is called or order to active military duty outside Missouri, acknowledge may be obtained by a notary public who is duly commissioned by a state other than Missouri or by notarial services of a military officer in accordance with the Uniform Code of Military Justice at the time of verification;”**; and

Further amend said page and said section, Line 32, by inserting immediately after the word **“incarcerated”** the words **“or military”**; and

Further amend said page and said section, Line 33, by deleting the phrase **“and proof thereof”**; and

Further amend said page and said section, Line 37, by inserting immediately after the word **“incarcerated”** the words **“or military”**; and

Further amend said page and said section, Line 37, by inserting immediately at the end of said line the following:

**“However, in such case the incarcerated applicant does not have such an identification because the jail or prison to which he or she is confined does not issue an identification with a photo his or her notarized application shall satisfy this requirement.”**; and

Further amend said bill and said section, Page 3, Line 54, by inserting immediately after said line the following:

**“Section B. Because immediate action is necessary to protect and uphold the sanctity of marriage, the enactment of section 451.040 is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and the enactment of section 451.040 is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 451.040 shall be in full force and effect upon its passage and approval.”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 859**, entitled:

An Act to repeal sections 340.381 and 340.396, RSMo, and to enact in lieu thereof six new sections relating to agriculture.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 719**.

With House Amendment Nos. 1 and 2.

#### HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 719, Page 3, Section 105.454, Line 59, by deleting the word “**thereof**”; and

Further amending said bill, page, and section, Line 62, by deleting the word “**dependant**” and inserting in lieu thereof the following:

“**dependent**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 719, Page 3, Section 171.181, Line 14, by inserting after all of said line the following:

“177.011. 1. The title of all schoolhouse sites and other school property is vested in the district in which the property is located, or if the directors of both school districts involved agree, a school district may own property outside of the boundaries of the district and operate upon such property for school purposes; provided that, such property may only be used for school purposes for students residing in the school district owning such property or students who are enrolled in such school district as part of a court-ordered desegregation plan. All property leased or rented for school purposes shall be wholly under the control of the school board during such time. **With the exception of lease agreements entered into under the provisions of section 177.088**, no board shall lease or rent any building for school purposes while the district schoolhouse is unoccupied, and no schoolhouse or school site shall be abandoned or sold until another site and house are provided for the school district.

2. Notwithstanding the provisions of section 178.770, the provisions of this section shall not apply to community college districts. Nothing in this subsection shall be construed to impair the duty and authority of the coordinating board for higher education to approve academic programs under section 173.005.

177.088. 1. As used in this section, the following terms shall mean:

(1) “Board”, the board of education, board of trustees, board of regents, or board of governors of an educational institution;

(2) “Educational institution”, any school district, including all community college districts, and any state college or university organized under chapter 174.

2. The board of any educational institution may enter into agreements as authorized in this section [with a not-for-profit corporation formed under the general not-for-profit corporation law of Missouri, chapter 355,] in order to provide for the acquisition, construction, improvement, extension, repair, remodeling, renovation and financing of sites, buildings, facilities, furnishings and equipment for the use of the educational institution for educational purposes.

3. The board may on such terms as it shall approve:

(1) Lease [from the corporation] sites, buildings, facilities, furnishings and equipment [which the corporation has] acquired or constructed; or

(2) Notwithstanding the provisions of this chapter or any other provision of law to the contrary, sell or lease at fair market value, which may be determined by appraisal, [to the corporation] any existing sites [owned by the educational institution], together with any existing buildings and facilities thereon, in order [for the corporation] to acquire, construct, improve, extend, repair, remodel, renovate, furnish and equip buildings and facilities thereon, and [then] lease back or purchase such sites, buildings and facilities [from the corporation]; provided that upon selling or leasing the sites, buildings or facilities, [the corporation agrees to enter into a lease for] **any lease back to the educational institution is not more than one year [but] in length, and** with not more than twenty-five successive options by the educational institution to renew the lease under the same conditions; and provided further that [the corporation agrees] **there is an agreement** to convey or sell the sites, buildings or facilities, including any improvements, extensions, renovations, furnishings or equipment, back to the educational institution with clear title at the end of the period of successive one-year options or at any time bonds, notes or other obligations issued [by the corporation] to pay for the improvements, extensions, renovations, furnishings or equipment have been paid and discharged.

4. Any consideration, promissory note or deed of trust which an educational institution receives for selling or leasing property [to a not-for-profit corporation] pursuant to this section shall be placed in a separate fund or in escrow, and neither the principal or any interest thereon shall be commingled with any other funds of the educational institutions. At such time as the title or deed for property acquired, constructed, improved, extended, repaired, remodeled or renovated under this section is conveyed to the educational institution, the consideration shall be returned [to the corporation].

5. The board may make rental payments [to the corporation] under such leases out of its general funds or out of any other available funds, provided that in no event shall the educational institution become indebted in an amount exceeding in any year the income and revenue of the educational institution for such year plus any unencumbered balances from previous years.

6. Any bonds, notes and other obligations issued [by a corporation] to pay for the acquisition, construction, improvements, extensions, repairs, remodeling or renovations of sites, buildings and facilities, pursuant to this section, may be secured by a mortgage, pledge or deed of trust of the sites, buildings and facilities and a pledge of the revenues received from the rental thereof to the educational institution. Such bonds, notes and other obligations issued [by a corporation] shall not be a debt of the educational institution and the educational institution shall not be liable thereon, and in no event shall such bonds, notes or other obligations be payable out of any funds or properties other than those acquired for the purposes of this section, and such bonds, notes and obligations shall not constitute an indebtedness of the educational institution within the meaning of any constitutional or statutory debt limitation or restriction.

7. The interest on such bonds, notes and other obligations [of the corporation] and the income therefrom shall be exempt from taxation by the state and its political subdivisions, except for death and gift taxes on transfers. Sites, buildings, facilities, furnishings and equipment owned [by a corporation] in connection with any project pursuant to this section shall be exempt from taxation.

8. The board may make all other contracts or agreements [with the corporation] necessary or convenient in connection with any project pursuant to this section. [The corporation shall comply with sections 290.210 to 290.340.]

9. Notice that the board is considering a project pursuant to this section shall be given by publication in a newspaper published within the county in which all or a part of the educational institution is located which has general circulation within the area of the educational institution, once a week for two consecutive weeks, the last publication to be at least seven days prior to the date of the meeting of the board at which such project will be considered and acted upon.

10. [Provisions of other law to the contrary notwithstanding, the board may refinance any lease purchase agreement that satisfies at least one of the conditions specified in subsection 6 of section 165.011 for the purpose of payment on any lease with the corporation under this section for sites, buildings, facilities, furnishings or equipment which the corporation has acquired or constructed, but such refinance shall not extend the date of maturity of any obligation, and the refinancing obligation shall not exceed the amount necessary to pay or provide for the payment of the principal of the outstanding obligations to be refinanced, together with the interest accrued thereon to the date of maturity or redemption of such obligations and any premium which may be due under the terms of such obligations and any amounts necessary for the payments of costs and expenses related to issuing such refunding obligations and to fund a capital projects reserve fund for the obligations.

11.] Provisions of other law to the contrary notwithstanding, payments made from any source by a school district, after the latter of July 1, 1994, or July 12, 1994, that result in the transfer of the title of real property to the school district, other than those payments made from the capital projects fund, shall be deducted as an adjustment to the funds payable to the district pursuant to section 163.031 beginning in the year following the transfer of title to the district, as determined by the department of elementary and secondary education. No district with modular buildings leased in fiscal year 2004, with the lease payments made from the incidental fund and that initiates the transfer of title to the district after fiscal year 2007, shall have any adjustment to the funds payable to the district under section 163.031 as a result of the transfer of title.

[12.] **11.** Notwithstanding provisions of this section to the contrary, the board of education of any school district may enter into agreements with the county in which the school district is located, or with a city, town, or village wholly or partially located within the boundaries of the school district, in order to provide for the acquisition, construction, improvement, extension, repair, remodeling, renovation, and financing of sites, buildings, facilities, furnishings, and equipment for the use of the school district for educational purposes. Such an agreement may provide for the present or future acquisition of an ownership interest in such facilities by the school district, by lease, lease-purchase agreement, option to purchase agreement, or similar provisions, and may provide for a joint venture between the school district and other entity or entities that are parties to such an agreement providing for the sharing of the costs of acquisition, construction, repair, maintenance, and operation of such facilities. The school district may wholly own such facilities, or may acquire a partial ownership interest along with the county, city, town, or village with which the agreement was executed.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

## **RESOLUTIONS**

Senator Schaaf offered Senate Resolution No. 2006, regarding Patricia JoAnne Jones, Saint Joseph, which was adopted.

Senator Lager offered Senate Resolution No. 2007, regarding the Missouri Association of Social Work Boards, which was adopted.

Senator Schaaf offered Senate Resolution No. 2008, regarding Mariah Mathews, which was adopted.

## **INTRODUCTIONS OF GUESTS**

Senator Justus introduced to the Senate, her sister and brother-in-law, Jaime and Mark Scribner and their children, Andy, Sophie, Samuel and Toby, Tonganoxie, Kansas; and Andy and Sophie were made honorary pages.

Senator Schaefer introduced to the Senate, Cory McMahon, and his father Brian, Columbia.

Senator Cunningham introduced to the Senate, Wayne Scharnhorst, West Plains.

On motion of Senator Richard, the Senate adjourned under the rules.

## **SENATE CALENDAR**

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SIXTY-THIRD DAY—TUESDAY, MAY 6, 2014

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## **FORMAL CALENDAR**

### **HOUSE BILLS ON SECOND READING**

HCS for HB 2021

### **THIRD READING OF SENATE BILLS**

SS for SCS for SB 666-Schmitt (In  
Fiscal Oversight)

SS for SB 538-Keaveny (In Fiscal  
Oversight)

SS for SCS for SB 850-Munzlinger (In  
Fiscal Oversight)

### **SENATE BILLS FOR PERFECTION**

1. SB 858-Kraus

2. SB 669-Schaaf

- |                                  |                            |
|----------------------------------|----------------------------|
| 3. SB 821-Schaefer               | 8. SB 865-Nieves           |
| 4. SB 823-Dixon, et al, with SCS | 9. SB 619-Nieves, with SCS |
| 5. SB 973-Brown                  | 10. SB 531-Nasheed         |
| 6. SB 815-Pearce, with SCS       | 11. SB 820-Schaefer        |
| 7. SBs 798 & 514-Emery, with SCS |                            |

### HOUSE BILLS ON THIRD READING

- |   |  |
|---|--|
| 1. HB 1073-Dugger, et al (Kraus) (In Fiscal Oversight)                  | 10. HB 1372-Cox, et al (Kraus)                               |
| 2. HCS for HB 1412 (Parson)   | 11. HB 1388-Cornejo, et al, with SCS (Schaefer)              |
| 3. HCS for HBs 1861 & 1864, with SCS (Munzlinger) (In Fiscal Oversight) | 12. HCS for HB 1336, with SCS (Wasson) (In Fiscal Oversight) |
| 4. HCS for HB 1303 (Silvey)   | 13. HJR 48-Solon, et al (Wallingford) (In Fiscal Oversight)  |
| 5. HB 1504-Zerr, with SCS (Dempsey)                                     | 14. HCS for HB 1685 (Schaaf)                                 |
| 6. HB 2028-Peters, et al (Schmitt)                                      | 15. HCS for HB 1999 (Cunningham)                             |
| 7. HCS for HB 1326, with SCS (In Fiscal Oversight)                      | 16. HB 1866-Schatz, et al, with SCS (Kehoe)                  |
| 8. HB 1136-Dugger, et al, with SCS (Kraus)                              | 17. HCS for HB 1882 (Keaveny)                                |
| 9. HB 1411-Cross, et al, with SCS (Sifton)                              | 18. HCS for HB 1044, with SCS (Lamping)                      |
|   | 19. HCS for HB 1156  |

### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

- |   |   |
|---|---|
| SB 490-Lager and Kehoe, with SCS                      | SB 578-Kraus  |
| SB 494-Pearce, with SS (pending)                      | SB 589-Brown, with SCS, SA 2 & SA 1 to SA 2 (pending) |
| SB 501-Keaveny  | SB 617-Parson, with SCS, SS for SCS & SA 1 (pending)  |
| SB 518-Sater, with SCS, SA 2 & SA 1 to SA 2 (pending) | SB 634-Parson, with SCS                               |
| SB 519-Sater, with SS & SA 1 (pending)                | SB 641-Emery  |
| SS for SB 543-Munzlinger                              | SB 644-LeVota   |
| SB 550-Sater, with SCS                                | SB 659-Wallingford, with SCS                          |
| SB 553-Emery, with SCS, SS for SCS & SA 1 (pending)   | SB 663-Munzlinger, with SCS                           |
| SB 555-Nasheed, with SS & SA 1 (pending)              | SB 671-Sater  |
| SB 566-Sifton   | SB 712-Walsh, with SCS & SS for SCS (pending)         |
| SB 573-Munzlinger, with SCS                           |   |

SB 724-Parson	SB 848-LeVota, with SCS
SB 739-Romine, with SCS, SS for SCS, SA 1 & SA 1 to SA 1 (pending)	SB 875-Sater, with SCS
SB 755-Wallingford	SB 887-Schaefer
SB 762-Schaefer, with SCS	SB 888-Parson, with SCS
SB 769-Pearce, with SCS	SB 912-Wasson and Justus, with SCS (pending)
SB 770-Wallingford, with SCS	SB 919-Justus
SBs 787 & 804-Justus, with SCS	SB 966-Lager
SB 790-Dixon	SJR 25-Lager, with SS, SA 2 & SA 1 to SA 2 (pending)
SB 814-Brown	SJR 26-Lager, with SS & SA 1 (pending)
SB 819-Wallingford, with SCS	SJR 34-Emery
SB 830-Parson	SJR 42-Schmitt, with SS (pending)
SBs 836 & 800-Munzlinger, with SCS	
SB 846-Richard	

#### HOUSE BILLS ON THIRD READING

HB 1126-Dugger and Entlicher, with SCS & SA 6 (pending) (Kraus)	HB 1455-Hoskins and Fraker (Kraus)
HB 1173-Burlison, et al, with SA 1 & SA 1 to SA 1 (pending) (Brown)	HB 1495-Torpey and Hicks, with SCS & SS#2 for SCS (pending) (Dixon)
HB 1184-Grisamore (Justus)	HCS for HB 1501, with SS (pending) (Schmitt)
HCS for HB 1189, with SCA 1 (Kehoe)	HB 1506-Franklin, et al (Brown)
HCS for HB 1217, with SCS (Cunningham)	HCS for HB 1514, with SCS (Parson)
HB 1270-Lant, et al, with SCS (Cunningham)	HCS for HB 1557 (Munzlinger)
HCS for HB 1295, with SCS (Kraus)	HB 1617-Rehder, et al, with SCS (Brown)
HCS for HB 1296, with SCS (Kraus)	HB 1651-Fraker (Cunningham)
HCS for HBs 1307 & 1313, with SCS (Sater)	HCS for HB 1729, as amended (Parson) (In Fiscal Oversight)
HB 1359-Flanigan (Kehoe)	HCS for HBs 1735 & 1618, with SCS (Kraus)
HCS for HB 1389 (Pearce)	HCS for HJR 47 (Kraus)
HB 1390-Thomson, et al, with SCS (Pearce)	HJR 72-Richardson, et al (Silvey)
HB 1430-Jones (110), et al (Schaaf)	

#### CONSENT CALENDAR

##### House Bills

Reported 4/15

HCS for HB 1510 (Brown)

## SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 526-Cunningham, with HA 1, HA 2,  
 HA 3, as amended, HA 4, as  
 amended, HA 5 & HA 6  
 SCS for SB 530-Libla, with HCS, as amended

SB 719-Kehoe, with HA 1 & HA 2  
 SB 796-Parson, with HA 1  
 SB 859-Brown, with HCS

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

## In Conference

HB 1361-Gosen and Wieland, with SS, as  
 amended (Parson)  
 HCS for HB 2002, with SCS, as amended  
 (Schaefer)  
 HCS for HB 2003, with SCS, as amended  
 (Schaefer)  
 HCS for HB 2004, with SCS (Schaefer)  
 HCS for HB 2005, with SCS (Schaefer)  
 HCS for HB 2006, with SCS (Schaefer)  
 HCS for HB 2007, with SCS (Schaefer)

HCS for HB 2008, with SCS, as amended  
 (Schaefer)  
 HCS for HB 2009, with SCS, as amended  
 (Schaefer)  
 HCS for HB 2010, with SCS (Schaefer)  
 HCS for HB 2011, with SS for SCS  
 (Schaefer)  
 HCS for HB 2012, with SCS (Schaefer)  
 HCS for HB 2013, with SCS (Schaefer)

## Requests to Recede or Grant Conference

SCS for SBs 493, 485, 495, 516, 534,  
 545, 595, 616 & 624-Pearce, with  
 HCS, as amended (Senate requests  
 House recede or grant conference)  
 SCS for SB 612-Schaaf, with HA 1, HA 2,  
 HA 3, HA 4 & HA 5 (Senate requests  
 House recede or grant conference)

SCS for SB 672-Parson, with HCS, as  
 amended (Senate requests House  
 recede or grant conference)  
 SCS for SB 716-Brown, with HCS, as  
 amended (Senate requests House  
 recede or grant conference)

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# Journal of the Senate

## SECOND REGULAR SESSION

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**SIXTY-THIRD DAY—TUESDAY, MAY 6, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Put your trust in God; for I will yet give thanks to him, who is the hope of my countenance and my God.” (Psalm 42:15)

Heavenly Father, we are grateful for the blessings we experience every day for they remind us to do good to those whom You have made us responsible. We pray to faithfully serve the people we represent and ask that Your presence be in our lives to bring help and hope to our constituents. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from Jefferson City News Tribune were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

Senator Kehoe requested unanimous consent of the Senate to allow Capitol Police Officer Ed Hayob to enter the Chamber with side arms, which request was granted.

### RESOLUTIONS

Senator Kraus offered Senate Resolution No. 2009, regarding Daniel Duffeck, which was adopted.

Senator Dempsey offered Senate Resolution No. 2010, regarding State Employee Recognition Week, which was adopted.

Senator Dixon offered Senate Resolution No. 2011, regarding Meghan E. Curtis, which was adopted.

Senator Schaaf offered Senate Resolution No. 2012, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Douglas Dale Moore, Sr., Platte City, which was adopted.

Senator Dempsey offered Senate Resolution No. 2013, regarding Garrett Poorman, Columbia, which was adopted.

Senator LeVota offered Senate Resolution No. 2014, regarding Zachary Webber, which was adopted.

### REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS** for **HB 1729**, as amended, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon assumed the Chair.

### HOUSE BILLS ON THIRD READING

Senator Parson moved that **HCS** for **HB 1729**, as amended, be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **HB 1729**, as amended, was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

#### NAYS—Senators—None

Absent—Senator Nieves—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS for HB 1217**, with **SCS**, entitled:

An Act to amend chapter 434, RSMo, by adding thereto five new sections relating to the unlawful transfer or assignment of pension benefits.

Was called from the Informal Calendar and taken up by Senator Cunningham.

**SCS for HCS for HB 1217**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1217

An Act to amend chapter 434, RSMo, by adding thereto five new sections relating to the unlawful transfer or assignment of pension benefits.

Was taken up.

Senator Cunningham moved that **SCS for HCS for HB 1217** be adopted.

Senator Sater offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1217, Page 1, In the Title, Line 2, by striking the word “the” from the end of said line; and further amend line 3, by striking all of said line and inserting in lieu thereof the following: “public employee retirement plan benefits.”; and

Further amend said bill and page, section A, line 3, by inserting immediately after said line the following:

**“105.669. 1. Any participant of a plan who is found guilty of a felony offense listed in subsection 3 of this section, which is committed in direct connection with or directly related to the participant’s duties as an employee on or after the effective date of this section, shall not be eligible to receive any retirement benefits from the respective plan based on service rendered on or after the effective date of this section, except a participant may still request from the respective retirement system a refund of the participant’s plan contributions, including interest credited to the participant’s account.**

**2. Upon a finding of guilt, the court shall forward a notice of the court’s finding to the appropriate retirement system in which the offender was a participant. The court shall also make a determination on the value of the money, property, or services involved in committing the offense. The plans shall take all actions necessary to implement the provisions of this section.**

**3. The finding of guilt for any of the following offenses or a substantially similar offense provided under federal law shall result in the ineligibility of retirement benefits as provided in subsection 1 of this section:**

**(1) The offense of felony stealing under section 570.030 when such offense involved money, property, or services valued at five thousand dollars or more as determined by the court;**

**(2) The offense of felony receiving stolen property under section 570.080 when such offense involved money, property, or services valued at five thousand dollars or more as determined by the court;**

**(3) The offense of forgery under section 570.090;**

**(4) The offense of felony counterfeiting under section 570.103;**

**(5) The offense of bribery of a public servant under section 576.010; or**

**(6) The offense of acceding to corruption under section 576.020.”; and**

Further amend said bill, page 3, section 434.304, line 2, by inserting immediately after said line the following:

“Section B. Because of the need to protect our public retirement systems, the enactment of section 105.669 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 105.669 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Cunningham moved that **SCS for HCS for HB 1217**, as amended, be adopted, which motion prevailed.

On motion of Senator Cunningham, **SCS for HCS for HB 1217**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
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Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Nieves assumed the Chair.

**HB 1270**, introduced by Representative Lant, et al, with **SCS**, entitled:

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to credit card processing services.

Was called from the Informal Calendar and taken up by Senator Cunningham.

**SCS** for **HB 1270**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1270

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to credit card processing services.

Was taken up.

Senator Cunningham moved that **SCS** for **HB 1270** be adopted.

Senator Cunningham offered **SS** for **SCS** for **HB 1270**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1270

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to credit card processing services.

Senator Cunningham moved that **SS** for **SCS** for **HB 1270** be adopted, which motion prevailed.

On motion of Senator Cunningham, **SS** for **SCS** for **HB 1270** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger

Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 1359**, introduced by Representative Flanigan, entitled:

An Act to repeal section 8.007, RSMo, and to enact in lieu thereof two new sections relating to contracts for the sale of certain items at events held in state-owned buildings.

Was called from the Informal Calendar and taken up by Senator Kehoe.

Senator Emery offered **SA 1**, which was read:

#### SENATE AMENDMENT NO. 1

Amend House Bill No. 1359, Page 2, Section 8.007, Line 29, by striking the words “and alcoholic”; and

Further amend said bill, page 3, section 34.425, line 2, by striking the words “and alcoholic”.

Senator Emery moved that the above amendment be adopted, which motion failed.

Senator Dixon assumed the Chair.

President Pro Tem Dempsey assumed the Chair.

On motion of Senator Kehoe, **HB 1359** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny
Kehoe	Lager	LeVota	Libla	Munzlinger	Nasheed	Nieves	Parson
Pearce	Richard	Romine	Schaaf	Schmitt	Silvey	Wallingford	Walsh
Wasson—25							

NAYS—Senators

Emery	Lamping	Sater	Sifton—4
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Absent—Senators

Kraus	Schaefer—2
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Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

The President Pro Tem declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 1617**, introduced by Representative Rehder, et al, with **SCS**, entitled:

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations, with an effective date and a referendum clause.

Was called from the Informal Calendar and taken up by Senator Brown.

**SCS** for **HB 1617**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1617

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations, with an effective date and a referendum clause.

Was taken up.

Senator Brown moved that **SCS** for **HB 1617** be adopted.

Senator Brown offered **SS** for **SCS** for **HB 1617**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1617

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations, with an effective date and a referendum clause.

Senator Brown moved that **SS** for **SCS** for **HB 1617** be adopted.

Senator Nasheed offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1617, Page 1, Section 105.504, Line 5 of said page, by striking the word “public” and inserting in lieu thereof the following: “**state**”; and further amend line 6 of said page, by striking the word “public” and inserting in lieu thereof the following: “**state**”; and further amend line 7 of said page, by striking the word “public” as it appears the second time on said line and inserting in lieu thereof the following: “**state**”; and further amend line 9 of said page, by striking the word “public” as it appears both times on said line and inserting in lieu thereof the following: “**state**”; and further amend line 13 of said page, by striking the word “public” at it appears both times on said line and inserting in lieu thereof the following: “**state**”; and

Further amend said bill, page 3, section C, line 22 of said page, by striking the word “public” and inserting in lieu thereof the following: “**state**”.

Senator Nasheed moved that the above amendment be adopted.

Senator Kehoe assumed the Chair.

Photographers from PBS Moyers & Company were given permission to take pictures in the Senate Chamber.

Senator Nasheed offered **SA 1** to **SA 1**, which was read:

**SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 1**

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Bill No. 1617, by adding at the end of said amendment, the following “Amend Senate Substitute for Senate Committee Substitute for House Bill 1617, Page 1, Section 105.504, Line 13 of said page, by striking the following: “public employee members of the labor organization, or”.”

Senator Nasheed moved that the above amendment be adopted.

At the request of Senator Brown, **HB 1617**, with **SCS**, **SS** for **SCS**, **SA 1** and **SA 1** to **SA 1** (pending), was placed on the Informal Calendar.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House of Representatives has passed Senate Substitute No. 3 for Senate Committee Substitute for Senate Bill Nos. 509 and 496, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the attached is a certified copy of the Roll Call on Senate Substitute No. 3 for Senate Committee Substitute for Senate Bill Nos. 509 and 496.

**AYES—109**

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Brattin	Brown
Burlison	Cierpiot	Conway 104	Cookson	Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer	Engler	English	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fraker	Franklin	Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White	Wieland	Wilson	Wood	Zerr

Mr. Speaker

**NOES—46**

Anders	Black	Burns	Butler	Carpenter	Colona	Conway 10	Curtis	Dunn
Ellington	Englund	Frame	Gardner	Harris	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald	McKenna	McManus	McNeil	Meredith



Mims	Mitten	Montecillo	Newman	Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer	Schupp	Smith	Swearingen	Walton Gray
Webber								

ABSENT—4

Hodges	May	Morgan	Wright
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VACANCIES—4

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House Conferees on **SS** for **SCS** for **HCS** for **HB 2011** be allowed to exceed the differences on Section 11.440.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2077**, entitled:

An Act to amend chapter 21, RSMo, by adding thereto one new section relating to the surplus revenue fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2063**, entitled:

An Act to amend chapter 68, RSMo, by adding thereto one new section relating to port authorities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 1439** as amended and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HA 1**, **HA 2**, **HA 3**, **HA 4**, and **HA 5** to **SCS** for **SB 612** and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 716** as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House

refuses to recede from its position on **HCS** for **SCS** for **SB 672** as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SBs 493, 485, 495, 516, 534, 545, 595, 616** and **624**, as amended, and grants the Senate a conference thereon.

Senator Kraus assumed the Chair.

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SBs 493, 485, 495, 516, 534, 545, 595, 616** and **624**, as amended: Senators Pearce, Schmitt, Emery, Chappelle-Nadal and Curls.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **SB 612**, as amended: Senators Schaaf, Kraus, Lamping, Sifton and LeVota.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 716**, as amended: Senators Brown, Schmitt, Sater, Sifton and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 672**, as amended: Senators Parson, Dixon, Romine, Justus and Keaveny.

### **HOUSE BILLS ON SECOND READING**

The following Bill was read the 2nd time and referred to the Committee indicated:

**HCS** for **HB 2021**—Appropriations.

### **RESOLUTIONS**

Senator Kehoe offered Senate Resolution No. 2015, regarding Bob Watson, Jefferson City, which was adopted.

Senator Dempsey offered Senate Resolution No. 2016, regarding Trevor Tune, which was adopted.

Senator Cunningham offered Senate Resolution No. 2017, regarding Hannah VerDuin, which was adopted.

On motion of Senator Richard, the Senate recessed until 2:30 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Schaaf.

### **RESOLUTIONS**

Senator Pearce offered Senate Resolution No. 2018, regarding Laura Hough, which was adopted.

Senators Dempsey and Lamping offered Senate Resolution No. 2019, regarding LaVonda L. Reed, St. Peters, which was adopted.

Senators Dempsey and Lamping offered Senate Resolution No. 2020, regarding Kathryn T. Roberts,

Weldon Spring, which was adopted.

Senators Dempsey and Lamping offered Senate Resolution No. 2021, regarding Katrina Anne Wolter, St. Peters, which was adopted.

Senators Justus and Lamping offered Senate Resolution No. 2022, regarding Paige M. Parker, Foley, which was adopted.

Senators Schmitt and Lamping offered Senate Resolution No. 2023, regarding Natalie Renee Ried, St. Louis, which was adopted.

Senators Schmitt and Lamping offered Senate Resolution No. 2024, regarding Emily Elizabeth Morrison, St. Louis, which was adopted.

Senators Schmitt and Lamping offered Senate Resolution No. 2025, regarding Nicole Kaylee Sparks, Fenton, which was adopted.

Senator Lamping offered Senate Resolution No. 2026, regarding Lauren Kathleen McCarthy, O'Fallon, which was adopted.

Senator Sater offered Senate Resolution No. 2027, regarding Ron Phillips, which was adopted.

Senator Sater offered Senate Resolution No. 2028, regarding the One Hundredth Birthday of Freddie Hemphill, Purdy, which was adopted.

Senator Sater offered Senate Resolution No. 2029, regarding the Ninetieth Birthday of Mary Vanzandt, Cassville, which was adopted.

### **HOUSE BILLS ON THIRD READING**

**HCS** for **HBs 1307** and **1313**, with **SCS**, entitled:

An Act to repeal sections 188.027 and 188.039, RSMo, and to enact in lieu thereof two new sections relating to the required waiting period before having an abortion.

Was called from the Informal Calendar and taken up by Senator Sater.

**SCS** for **HCS** for **HBs 1307** and **1313**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILLS NOS. 1307 and 1313**

An Act to repeal sections 188.027 and 188.039, RSMo, and to enact in lieu thereof two new sections relating to the required waiting period before having an abortion.

Was taken up.

Senator Nieves assumed the Chair.

Senator Sater moved that **SCS** for **HCS** for **HBs 1307** and **1313** be adopted.

Senator Nasheed offered **SA 1**:

#### **SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1307 and 1313, Page 8, Section 188.027, Line 243, by inserting after all of said line the following:

**“13. The required waiting period for an abortion under subsections 1 and 8 of this section shall not apply if the pregnancy was a result of a rape.”; and**

Further amend said bill, page 9, Section 188.039, line 55, by inserting after all of said line the following:

**“8. The required waiting period for an abortion under subsection 2 of this section shall not apply if the pregnancy was a result of a rape.”.**

Senator Nasheed moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Chappelle-Nadal, Curls, LeVota and Sifton.

Senator Sifton offered **SA 1 to SA 1**:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1307 and 1313, Page 1, Line 5, by inserting after the word “rape” the following: **“or incest”**; and further amend line 10 by inserting after the word “rape” the following: **“or incest”**.

Senator Sifton moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Keaveny, LeVota, Nasheed and Walsh.

Senator Romine assumed the Chair.

Senator Sifton moved that **SA 1 to SA 1** be adopted, which motion failed by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton
Walsh—9							

NAYS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Silvey	Wallingford	Wasson—22		

Absent—Senator Schmitt—1

Absent with leave—Senators—None

Vacancies—2

**SA 1** was again taken up.

Senator Nasheed moved that the above amendment be adopted, which motion failed by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton
Walsh—9							

NAYS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Silvey	Wallingford	Wasson—22		

Absent—Senator Schmitt—1

Absent with leave—Senators—None

Vacancies—2

Senator Sifton offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1307 and 1313, Page 1, Section A, Line 3 of said page, by inserting after all of said line the following:

“170.015. 1. Any course materials and instruction relating to human sexuality and sexually transmitted diseases shall be medically and factually accurate, **be based on peer reviewed projects that have been demonstrated to influence healthy behavior, be age appropriate**, and shall:

(1) Present abstinence from sexual activity as the preferred choice of behavior in relation to all sexual activity [for unmarried pupils because it is the only method that is one hundred percent effective in preventing pregnancy, sexually transmitted diseases and the emotional trauma associated with adolescent sexual activity, and advise students that teenage sexual activity places them at a higher risk of dropping out of school because of the consequences of sexually transmitted diseases and unplanned pregnancy] **as the only sure way to avoid pregnancy or sexually transmitted infection**;

(2) Stress that sexually transmitted [diseases] **infections** are serious, possible, health hazards of sexual activity. Pupils shall be provided with the latest medical information regarding exposure to human immunodeficiency virus (**HIV**), acquired immune deficiency syndrome (**AIDS**), human papilloma virus, hepatitis and other sexually transmitted [diseases] **infections**;

(3) Present students with the latest medically factual information [regarding both the possible side effects and health benefits of all forms of contraception, including the success and failure rates for the prevention of pregnancy and sexually transmitted diseases; or shall present students with information on contraceptives and pregnancy in a manner consistent with the provisions of the federal abstinence education law, 42 U.S.C. Section 710] **about the health benefits and side effects of all contraceptives and barrier methods as a means to prevent pregnancy and to reduce the risk of contracting sexually transmitted infections, HIV/AIDS and other diseases**;

(4) [Include a discussion of the possible emotional and psychological consequences of preadolescent and adolescent sexual activity and the consequences of adolescent pregnancy, as well as the advantages of adoption, including the adoption of special needs children, and the processes involved in making an adoption plan] **Provide information about the vaccine for human papilloma virus, which may prevent cervical cancer, genital warts, infertility, and other reproductive health problems, when administered prior to becoming sexually active**;

(5) **Encourage family communication between parents and children about sexuality**;

**(6) Help young people gain knowledge about the physical, biological, and hormonal changes of adolescence and subsequent states of human maturation and the skills to make responsible decisions about sexuality, including how alcohol and drug use can affect that decision making;**

[(5)] **(7) Teach skills of conflict management, personal responsibility and positive self-esteem through discussion and role-playing at appropriate grade levels to emphasize that the pupil has the power to control personal behavior. Pupils shall be encouraged to base their actions on reasoning, self-discipline, sense of responsibility, self-control, and ethical considerations, such as respect for one's self and others. Pupils shall be taught not to make unwanted physical and verbal sexual advances or otherwise exploit another person. Pupils shall be taught to resist unwanted sexual advances and other negative peer pressure;**

[(6)] **(8) Advise pupils of the laws pertaining to their financial responsibility to children born in and out of wedlock and advise pupils of the provisions of chapter 566 pertaining to statutory rape;**

**(9) Help pupils develop skills in critical thinking, problem solving, decision making, and stress management in order to make healthy decisions about sexuality and relationships;**

**(10) Teach pupils about the dangers of sexual predators, including online predators when using electronic communication methods such as the internet, cell phones, text messages, chat rooms, email, and instant messaging programs. Pupils shall be taught how to behave responsibly and remain safe on the internet and the importance of having open communication with responsible adults and reporting any inappropriate situation, activity, or abuse to a responsible adult, and depending on intent and content, to local law enforcement, the FBI, or the CyberTipLine;**

**(11) Teach pupils about the consequences, both personal and legal, of inappropriate text messaging even among friends.**

2. Policies concerning referrals and parental notification regarding contraception shall be determined by local school boards or charter schools, consistent with the provisions of section 167.611.

3. A school district or charter school which provides human sexuality instruction may separate students according to gender for instructional purposes.

4. The board of a school district or charter school shall determine the specific content of the district's or school's instruction in human sexuality, in accordance with subsections 1 to 3 of this section, and shall ensure that all instruction in human sexuality is appropriate to the age of the students receiving such instruction.

5. A school district or charter school shall notify the parent or legal guardian of each student enrolled in the district or school of:

(1) The basic content of the district's or school's human sexuality instruction to be provided to the student; and

(2) The parent's right to remove the student from any part of the district's or school's human sexuality instruction.

6. A school district or charter school shall make all curriculum materials **and names and affiliations of presenters** used in the district's or school's human sexuality instruction available for public inspection pursuant to chapter 610 prior to the use of such materials in actual instruction.

[7. No school district or charter school, or its personnel or agents, shall provide abortion services, or

permit a person or entity to offer, sponsor, or furnish in any manner any course materials or instruction relating to human sexuality or sexually transmitted diseases to its students if such person or entity is a provider of abortion services.

8. As used in this section, the following terms mean:

(1) “Abortion”, the same meaning as such term is defined in section 188.015;

(2) “Abortion services”:

(a) Performing, inducing, or assisting in the performance or inducing of an abortion which is not necessary to save the life of the mother;

(b) Encouraging a patient to have an abortion or referring a patient for an abortion, which is not necessary to save the life of the mother; or

(c) Developing or dispensing drugs, chemicals, or devices intended to be used to induce an abortion which is not necessary to save the life of the mother.];” and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Chappelle-Nadal, LeVota, Nasheed and Walsh.

Senator Sater raised the point of order that **SA 2** is out of order in that it is not germane to the subject matter of the bill; and further that the amendment goes beyond the scope of the underlying legislation.

The point of order was referred to the President Pro Tem who took it under advisement, which placed **HCS** for **HBs 1307** and **1313**, with **SCS**, **SA 2** and the point of order (pending), back on the Informal Calendar.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HB 1968**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HCS** for **HB 1201**.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 716**, as amended. Representatives: Scharnhorst, Frederick and Kelly (45).

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **SB 612**, as amended. Representatives: Hoskins, Mitten and Dunn.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like

committee from the Senate on **HCS** for **SCS** for **SB 672**, as amended. Representatives: Jones (50), Elmer and LaFaver.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HB 1238**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HB 1490** as amended and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **SCR 36**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCR 29**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 662**, entitled:

An Act to repeal section 144.021, RSMo, and to enact in lieu thereof one new section relating to notice of sales tax modifications.

With House Amendment Nos. 1, 3, 4, and 5, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 2 to House Amendment No. 6, House Amendment No. 6, as amended, House Substitute Amendment No. 1 for House Amendment No. 7 and House Amendment No. 8.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 662, Page 1, In the Title, Lines 2 and 3, by deleting the words, “notice of sales tax modifications” and inserting in lieu thereof the word, “taxation”; and

Further amend said bill, Page 2, Section 144.021, Line 29, by inserting after all of said section the following:

“144.080. 1. Every person receiving any payment or consideration upon the sale of property or rendering of service, subject to the tax imposed by the provisions of sections 144.010 to 144.525, is exercising the taxable privilege of selling the property or rendering the service at retail and is subject to the tax levied in section 144.020. The person shall be responsible not only for the collection of the amount of the tax imposed on the sale or service to the extent possible under the provisions of section 144.285, but shall, on or before the last day of the month following each calendar quarterly period of three months, file a return with the director of revenue showing the person’s gross receipts and the amount of tax levied in section 144.020 for the preceding quarter, and shall remit to the director of revenue, with the return, the taxes levied in section



144.020, except as provided in subsections 2 and 3 of this section. The director of revenue may promulgate rules or regulations changing the filing and payment requirements of sellers, but shall not require any seller to file and pay more frequently than required in this section.

2. Where the aggregate amount levied and imposed upon a seller by section 144.020 is in excess of two hundred and fifty dollars for either the first or second month of a calendar quarter, the seller shall file a return and pay such aggregate amount for such months to the director of revenue by the twentieth day of the succeeding month.

3. Where the aggregate amount levied and imposed upon a seller by section 144.020 is less than forty-five dollars in a calendar quarter, the director of revenue shall by regulation permit the seller to file a return for a calendar year. The return shall be filed and the taxes paid on or before January thirty-first of the succeeding year.

4. The seller of any property or person rendering any service, subject to the tax imposed by sections 144.010 to 144.525, shall collect the tax from the purchaser of such property or the recipient of the service to the extent possible under the provisions of section 144.285, but the seller's inability to collect any part or all of the tax does not relieve the seller of the obligation to pay to the state the tax imposed by section 144.020; except that the collection of the tax imposed by sections 144.010 to 144.525 on motor vehicles and trailers shall be made as provided in sections 144.070 and 144.440.

5. [It shall be unlawful for] Any person [to] **may** advertise or hold out or state to the public or to any customer directly [or indirectly] that the tax or any part thereof imposed by sections 144.010 to 144.525, and required to be collected by the person, will be assumed or absorbed by the person, [or that it will not be separately stated and added to the selling price of the] **provided that the amount of tax assumed or absorbed shall be stated on any invoice or receipt for the property sold or service rendered**[, or if added, that it or any part thereof will be refunded]. Any person violating any of the provisions of this section shall be guilty of a misdemeanor. **This subsection shall not apply to any retailer prohibited from collecting and remitting sales tax under section 66.630.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 662, Page 1, In the Title, Lines 2 and 3, by deleting the words, "notice of sales tax modifications" and inserting in lieu thereof the word, "taxation"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after said line the following:

"143.451. 1. Missouri taxable income of a corporation shall include all income derived from sources within this state.

2. A corporation described in subdivision (1) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income from sources within this state, including that from the transaction of business in this state and that from the transaction of business partly done in this state and partly done in another state or states. However:

(1) Where income results from a transaction partially in this state and partially in another state or states,

and income and deductions of the portion in the state cannot be segregated, then such portions of income and deductions shall be allocated in this state and the other state or states as will distribute to this state a portion based upon the portion of the transaction in this state and the portion in such other state or states.

(2) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner, or the manner set forth in subdivision (3) of this subsection:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state.

(b) The amount of sales which are transactions wholly in this state shall be added to one-half of the amount of sales which are transactions partly within this state and partly without this state, and the amount thus obtained shall be divided by the total sales or in cases where sales do not express the volume of business, the amount of business transacted wholly in this state shall be added to one-half of the amount of business transacted partly in this state and partly outside this state and the amount thus obtained shall be divided by the total amount of business transacted, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction.

(c) For the purposes of this subdivision, a transaction involving the sale of tangible property is:

a. "Wholly in this state" if both the seller's shipping point and the purchaser's destination point are in this state;

b. "Partly within this state and partly without this state" if the seller's shipping point is in this state and the purchaser's destination point is outside this state, or the seller's shipping point is outside this state and the purchaser's destination point is in this state;

c. Not "wholly in this state" or not "partly within this state and partly without this state" only if both the seller's shipping point and the purchaser's destination point are outside this state.

(d) For purposes of this subdivision:

a. The purchaser's destination point shall be determined without regard to the FOB point or other conditions of the sale; and

b. The seller's shipping point is determined without regard to the location of the seller's principle office or place of business.

(3) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state;

(b) The amount of sales which are transactions in this state shall be divided by the total sales, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction;

(c) For the purposes of this subdivision, a transaction involving the sale of tangible property is:

- a. “In this state” if the purchaser’s destination point is in this state;
- b. Not “in this state” if the purchaser’s destination point is outside this state;

(d) For purposes of this subdivision, the purchaser’s destination point shall be determined without regard to the FOB point or other conditions of the sale and shall not be in this state if the purchaser received the tangible personal property from the seller in this state for delivery to the purchaser’s location outside this state;

**(e) For the purposes of this subdivision, a transaction involving the sale other than the sale of tangible property is “in this state” if the taxpayer’s market for the sales is in this state. The taxpayer’s market for sales is in this state:**

**a. In the case of sale, rental, lease, or license of real property, if and to the extent the property is located in this state;**

**b. In the case of rental, lease, or license of tangible personal property, if and to the extent the property is located in this state;**

**c. In the case of sale of a service, if and to the extent the benefit of the service is delivered to a purchaser location in this state; and**

**d. In the case of intangible property:**

**(i) That is rented, leased, or licensed, if and to the extent the property is used in this state by the rentee, lessee, or licensee, provided that intangible property utilized in marketing a good or service to a consumer is “used in this state” if that good or service is purchased by a consumer who is in this state. Franchise fees or royalties received for the rent, lease, license, or use of a trade name, trademark, service mark, or franchise system or provides a right to conduct business activity in a specific geographic area are “used in this state” to the extent the franchise location is in this state; and**

**(ii) That is sold, if and to the extent the property is used in this state, provided that:**

**i. A contract right, government license, or similar intangible property that authorizes the holder to conduct a business activity in a specific geographic area is “used in this state” if the geographic area includes all or part of this state;**

**ii. Receipts from intangible property sales that are contingent on the productivity, use, or disposition of the intangible property shall be treated as receipts from the rental, lease, or licensing of such intangible property under item (i) of this subparagraph; and**

**iii. All other receipts from a sales of intangible property shall be excluded from the numerator and denominator of the sales factor;**

**(f) If the state or states of assignment under paragraph (e) of this subdivision cannot be determined, the state or states of assignment shall be reasonably approximated;**

**(g) If the state of assignment cannot be determined under paragraph (e) of this subdivision or reasonably approximated under paragraph (f) of this subdivision, such sales shall be excluded from the denominator of the sales factor;**

**(h) The director may prescribe such rules and regulations as necessary or appropriate to carry**

**out the purposes of this section.**

(4) For purposes of this subsection, the following words shall, unless the context otherwise requires, have the following meaning:

(a) “Administration services” include, but are not limited to, clerical, fund or shareholder accounting, participant record keeping, transfer agency, bookkeeping, data processing, custodial, internal auditing, legal and tax services performed for an investment company;

(b) “Affiliate”, the meaning as set forth in 15 U.S.C. Section 80a-2(a)(3)(C), as may be amended from time to time;

(c) “Distribution services” include, but are not limited to, the services of advertising, servicing, marketing, underwriting or selling shares of an investment company, but, in the case of advertising, servicing or marketing shares, only where such service is performed by a person who is, or in the case of a closed end company, was, either engaged in the services of underwriting or selling investment company shares or affiliated with a person that is engaged in the service of underwriting or selling investment company shares. In the case of an open end company, such service of underwriting or selling shares must be performed pursuant to a contract entered into pursuant to 15 U.S.C. Section 80a-15(b), as from time to time amended;

(d) “Investment company”, any person registered under the federal Investment Company Act of 1940, as amended from time to time, (the act) or a company which would be required to register as an investment company under the act except that such person is exempt to such registration pursuant to Section 80a-3(c)(1) of the act;

(e) “Investment funds service corporation” includes any corporation or S corporation doing business in the state which derives more than fifty percent of its gross income in the ordinary course of business from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. An investment funds service corporation shall include any corporation or S corporation providing management services as an investment advisory firm registered under Section 203 of the Investment Advisors Act of 1940, as amended from time to time, regardless of the percentage of gross revenues consisting of fees from management services provided to or on behalf of an investment company;

(f) “Management services” include but are not limited to, the rendering of investment advice directly or indirectly to an investment company making determinations as to when sales and purchases of securities are to be made on behalf of the investment company, or the selling or purchasing of securities constituting assets of an investment company, and related activities, but only where such activity or activities are performed:

a. Pursuant to a contract with the investment company entered into pursuant to 15 U.S.C. Section 80a-15(a), as from time to time amended;

b. For a person that has entered into such contract with the investment company; or

c. For a person that is affiliated with a person that has entered into such contract with an investment company;

(g) “Qualifying sales”, gross income derived from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. For purposes of this section, “gross income” is defined as that amount of income earned from qualifying sources without deduction of expenses related to the generation of such income;

(h) “Residence”, presumptively the fund shareholder’s mailing address on the records of the investment company. If, however, the investment company or the investment funds service corporation has actual knowledge that the fund shareholder’s primary residence or principal place of business is different than the fund shareholder’s mailing address such presumption shall not control. To the extent an investment funds service corporation does not have access to the records of the investment company, the investment funds service corporation may employ reasonable methods to determine the investment company fund shareholder’s residence.

(5) Notwithstanding other provisions of law to the contrary, qualifying sales of an investment funds service corporation, or S corporation, shall be considered wholly in this state only to the extent that the fund shareholders of the investment companies, to which the investment funds service corporation, or S corporation, provide services, are resided in this state. Wholly in this state qualifying sales of an investment funds service corporation, or S corporation, shall be determined as follows:

(a) By multiplying the investment funds service corporation’s total dollar amount of qualifying sales from services provided to each investment company by a fraction, the numerator of which shall be the average of the number of shares owned by the investment company’s fund shareholders resided in this state at the beginning of and at the end of the investment company’s taxable year that ends with or within the investment funds service corporation’s taxable year, and the denominator of which shall be the average of the number of shares owned by the investment company’s fund shareholders everywhere at the beginning of and at the end of the investment company’s taxable year that ends with or within the investment funds service corporation’s taxable year;

(b) A separate computation shall be made to determine the wholly in this state qualifying sales from each investment company. The qualifying sales for each investment company shall be multiplied by the respective percentage of each fund, as calculated pursuant to paragraph (a) of this subdivision. The product of this equation shall result in the wholly in this state qualifying sales. The qualifying sales for each investment company which are not wholly in this state will be considered wholly without this state;

(c) To the extent an investment funds service corporation has sales which are not qualifying sales, those nonqualified sales shall be apportioned to this state based on the methodology utilized by the investment funds service corporation without regard to this subdivision.

3. Any corporation described in subdivision (1) of subsection 1 of section 143.441 organized in this state or granted a permit to operate in this state for the transportation or care of passengers shall report its gross earnings within the state on intrastate business and shall also report its gross earnings on all interstate business done in this state which report shall be subject to inquiry for the purpose of determining the amount of income to be included in Missouri taxable income. The previous sentence shall not apply to a railroad.

4. A corporation described in subdivision (2) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources in this state and all income from each transportation service wholly within this state, from each service where the only lines of such corporation

used are those in this state, and such proportion of revenue from each service where the facilities of such corporation in this state and in another state or states are used, as the mileage used over the lines of such corporation in the state shall bear to the total mileage used over the lines of such corporation. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year of any fixed transportation facilities, real estate and improvements in this state leased from any other railroad shall be divided by the sum of the total amount of investment of such corporation on December thirty-first of each year in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year, of any fixed transportation facilities, real estate and improvements leased from any other railroad. Where any fixed transportation facilities, real estate or improvements are leased by more than one railroad, such portion of the value shall be used by each railroad as the rental paid by each shall bear to the rental paid by all lessees. The income shall be multiplied by the fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

5. A corporation described in subdivision (3) of subsection 1 of section 143.441 shall include in its Missouri taxable income one-half of the net income from the operation of a bridge between this and another state. If any such bridge is owned or operated by a railroad corporation or corporations, or by a corporation owning a railroad corporation using such bridge, then the figures for operation of such bridge may be included in the return of such railroad or railroads; or if such bridge is owned or operated by any other corporation which may now or hereafter be required to file an income tax return, one-half of the income or loss to such corporation from such bridge may be included in such return by adding or subtracting same to or from another net income or loss shown by the return.

6. A corporation described in subdivision (4) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources within this state. Income shall include revenue from each telephonic or telegraphic service rendered wholly within this state; from each service rendered for which the only facilities of such corporation used are those in this state; and from each service rendered over the facilities of such corporation in this state and in other state or states, such proportion of such revenue as the mileage involved in this state shall bear to the total mileage involved over the lines of said company in all states. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in telephonic or telegraphic facilities, real estate and improvements thereon, shall be divided by the amount of the total investment of such corporation on December thirty-first of each year in telephonic or telegraphic facilities, real estate and improvements. The income of the taxpayer shall be multiplied by fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

7. From the income determined in subsections 2, 3, 4, 5 and 6 of this section to be from all sources within this state shall be deducted such of the deductions for expenses in determining Missouri taxable income as were incurred in this state to produce such income and all losses actually sustained in this state in the business of the corporation.

8. If a corporation derives only part of its income from sources within Missouri, its Missouri taxable income shall only reflect the effect of the following listed deductions to the extent applicable to Missouri. The deductions are: (a) its deduction for federal income taxes pursuant to section 143.171, and (b) the effect on Missouri taxable income of the deduction for net operating loss allowed by Section 172 of the Internal Revenue Code. The extent applicable to Missouri shall be determined by multiplying the amount that would otherwise affect Missouri taxable income by the ratio for the year of the Missouri taxable income of the corporation for the year divided by the Missouri taxable income for the year as though the corporation had derived all of its income from sources within Missouri. For the purpose of the preceding sentence, Missouri taxable income shall not reflect the listed deductions.

9. Any investment funds service corporation organized as a corporation or S corporation which has any shareholders resided in this state shall be subject to Missouri income tax as provided in this chapter.”; and

Further amend said bill, Page 2, Section 144.021, Line 29, by inserting after all of said line the following:

“144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting

or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight; and the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subdivision "motor vehicle" and "public highway" shall have the meaning as ascribed in section 390.020;

(5) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(6) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(7) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(8) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(9) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(10) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(11) Pumping machinery and equipment used to propel products delivered by pipelines engaged as



common carriers;

(12) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(13) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (5) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(14) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(17) Tangible personal property purchased by a rural water district;

(18) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation, provided, however, that a municipality or other political subdivision may enter into revenue-sharing agreements with private persons, firms, or corporations providing goods or services, including management services, in or for the place of amusement, entertainment or recreation, games or athletic events, and provided further that nothing in this subdivision shall exempt from tax any amounts retained by any private person, firm, or corporation under such revenue-sharing agreement;

(19) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and

accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(20) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(21) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (20) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(22) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(23) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term “feed additives” means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term “pesticides” includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term “farm machinery and equipment” means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used

exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;

(b) Used on land owned or leased for the purpose of producing farm products; and

(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(24) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(25) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute

a majority of the annual gross income of the seller;

(26) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(27) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(28) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(29) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(30) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(31) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(32) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (5) of this subsection;

(33) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(34) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(35) All sales of grain bins for storage of grain for resale;

(36) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(37) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any

reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(38) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(39) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(40) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(41) Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(42) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event;

**(43) All materials, manufactured goods, machinery and parts, electrical energy and gas, whether natural, artificial or propane, water, coal, and energy sources, chemicals, soaps, detergents, cleaning and sanitizing agents, and other ingredients and materials used or consumed by commercial or industrial laundries to treat, clean, and sanitize textiles and other materials.**

3. Any ruling, agreement, or contract, whether written or oral, express or implied, between a person and this state's executive branch, or any other state agency or department, stating, agreeing, or ruling that such person is not required to collect sales and use tax in this state despite the presence of a warehouse, distribution center, or fulfillment center in this state that is owned or operated by the person or an affiliated person shall be null and void unless it is specifically approved by a majority vote of each of the houses of the general assembly. For purposes of this subsection, an "affiliated person" means any person that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code of 1986, as amended, as the vendor or any other entity that, notwithstanding its form of organization,

bears the same ownership relationship to the vendor as a corporation that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code, as amended.

144.054. 1. As used in this section, the following terms mean:

(1) “Processing”, any mode of treatment, act, or series of acts performed upon materials to transform or reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(2) “Recovered materials”, those materials which have been diverted or removed from the solid waste stream for sale, use, reuse, or recycling, whether or not they require subsequent separation and processing.

2. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, electrical energy and gas, whether natural, artificial, or propane, water, coal, and energy sources, chemicals, machinery, equipment, and materials used or consumed in the manufacturing, processing, compounding, mining, or producing of any product, or used or consumed in the processing of recovered materials, or used in research and development related to manufacturing, processing, compounding, mining, or producing any product. The exemptions granted in this subsection shall not apply to local sales taxes as defined in section 32.085 and the provisions of this subsection shall be in addition to any state and local sales tax exemption provided in section 144.030.

3. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, all utilities, machinery, and equipment used or consumed directly in television or radio broadcasting and all sales and purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a contractor for use in fulfillment of any obligation under a defense contract with the United States government, and all sales and leases of tangible personal property by any county, city, incorporated town, or village, provided such sale or lease is authorized under chapter 100, and such transaction is certified for sales tax exemption by the department of economic development, and tangible personal property used for railroad infrastructure brought into this state for processing, fabrication, or other modification for use outside the state in the regular course of business.

4. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, all sales and purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a private partner for use in completing a project under sections 227.600 to 227.669.

**5. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, and from the computation of**

**the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, all materials, manufactured goods, machinery and parts, electrical energy and gas, whether natural, artificial or propane, water, coal and other energy sources, chemicals, soaps, detergents, cleaning and sanitizing agents, and other ingredients and materials inserted by commercial or industrial laundries to treat, clean, and sanitize textiles in facilities which process at least five hundred pounds of textiles per hour and at least sixty thousand pounds per week.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 662, Page 1, In the Title, Lines 2-3, by deleting the words, “notice of sales tax modifications” and inserting in lieu thereof the words, “taxation”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line and section the following:

“142.815. 1. Motor fuel used for the following nonhighway purposes is exempt from the fuel tax imposed by this chapter, and a refund may be claimed by the consumer, except as provided for in subdivision (1) of this subsection, if the tax has been paid and no refund has been previously issued:

(1) Motor fuel used for nonhighway purposes including fuel for farm tractors or stationary engines owned or leased and operated by any person and used exclusively for agricultural purposes and including, beginning January 1, 2006, bulk sales of one hundred gallons or more of gasoline made to farmers and delivered by the ultimate [vender] **vendor** to a farm location for agricultural purposes only. As used in this section, the term “farmer” shall mean any person engaged in farming in an authorized farm corporation, family farm, or family farm corporation as defined in section 350.010. At the discretion of the ultimate [vender] **vendor**, the refund may be claimed by the ultimate [vender] **vendor** on behalf of the consumer for sales made to farmers and to persons engaged in construction for agricultural purposes as defined in section 142.800. After December 31, 2000, the refund may be claimed only by the consumer and may not be claimed by the ultimate [vender] **vendor** unless bulk sales of gasoline are made to a farmer after January 1, 2006, as provided in this subdivision and the farmer provides an exemption certificate to the ultimate [vender] **vendor**, in which case the ultimate [vender] **vendor** may make a claim for refund under section 142.824 but shall be liable for any erroneous refund;

(2) Kerosene sold for use as fuel to generate power in aircraft engines, whether in aircraft or for training, testing or research purposes of aircraft engines;

(3) Diesel fuel used as heating oil, or in railroad locomotives or any other motorized flanged-wheel rail equipment, or used for other nonhighway purposes other than as expressly exempted pursuant to another provision.

2. Subject to the procedural requirements and conditions set out in this chapter, the following uses are exempt from the tax imposed by section 142.803 on motor fuel, and a deduction or a refund may be claimed:

(1) Motor fuel for which proof of export is available in the form of a terminal-issued destination state shipping paper and which is either:

(a) Exported by a supplier who is licensed in the destination state or through the bulk transfer system;

(b) Removed by a licensed distributor for immediate export to a state for which all the applicable taxes and fees (however nominated in that state) of the destination state have been paid to the supplier, as a trustee, who is licensed to remit tax to the destination state; or which is destined for use within the destination state by the federal government for which an exemption has been made available by the destination state subject to procedural rules and regulations promulgated by the director; or

(c) Acquired by a licensed distributor and which the tax imposed by this chapter has previously been paid or accrued either as a result of being stored outside of the bulk transfer system immediately prior to loading or as a diversion across state boundaries properly reported in conformity with this chapter and was subsequently exported from this state on behalf of the distributor; The exemption pursuant to paragraph (a) of this subdivision shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax upon removal of the product from a terminal or refinery in this state. The exemption pursuant to paragraphs (b) and (c) of this subdivision shall be claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars;

(2) Undyed K-1 kerosene sold at retail through dispensers which have been designed and constructed to prevent delivery directly from the dispenser into a vehicle fuel supply tank, and undyed K-1 kerosene sold at retail through nonbarricaded dispensers in quantities of not more than twenty-one gallons for use other than for highway purposes. Exempt use of undyed kerosene shall be governed by rules and regulations of the director. If no rules or regulations are promulgated by the director, then the exempt use of undyed kerosene shall be governed by rules and regulations of the Internal Revenue Service. A distributor or supplier delivering to a retail facility shall obtain an exemption certificate from the owner or operator of such facility stating that its sales conform to the dispenser requirements of this subdivision. A licensed distributor, having obtained such certificate, may provide a copy to his or her supplier and obtain undyed kerosene without the tax levied by section 142.803. Having obtained such certificate in good faith, such supplier shall be relieved of any responsibility if the fuel is later used in a taxable manner. An ultimate vendor who obtained undyed kerosene upon which the tax levied by section 142.803 had been paid and makes sales qualifying pursuant to this subsection may apply for a refund of the tax pursuant to application, as provided in section 142.818, to the director provided the ultimate vendor did not charge such tax to the consumer;

(3) Motor fuel sold to the United States or any agency or instrumentality thereof. This exemption shall be claimed as provided in section 142.818;

(4) Motor fuel used solely and exclusively as fuel to propel motor vehicles on the public roads and highways of this state when leased or owned and when being operated by a federally recognized Indian tribe in the performance of essential governmental functions, such as providing police, fire, health or water services. The exemption for use pursuant to this subdivision shall be made available to the tribal government upon a refund application stating that the motor fuel was purchased for the exclusive use of the tribe in performing named essential governmental services;

(5) That portion of motor fuel used to operate equipment attached to a motor vehicle, if the motor fuel was placed into the fuel supply tank of a motor vehicle that has a common fuel reservoir for travel on a highway and for the operation of equipment, or if the motor fuel was placed in a separate fuel tank and used only for the operation of auxiliary equipment. The exemption for use pursuant to this subdivision shall be claimed by a refund claim filed by the consumer who shall provide evidence of an allocation of use satisfactory to the director;



(6) Motor fuel acquired by a consumer out-of-state and carried into this state, retained within and consumed from the same vehicle fuel supply tank within which it was imported, except interstate motor fuel users;

(7) Motor fuel which was purchased tax-paid and which was lost or destroyed as a direct result of a sudden and unexpected casualty or which had been accidentally contaminated so as to be unsalable as highway fuel as shown by proper documentation as required by the director. The exemption pursuant to this subdivision shall be refunded to the person or entity owning the motor fuel at the time of the contamination or loss. Such person shall notify the director in writing of such event and the amount of motor fuel lost or contaminated within ten days from the date of discovery of such loss or contamination, and within thirty days after such notice, shall file an affidavit sworn to by the person having immediate custody of such motor fuel at the time of the loss or contamination, setting forth in full the circumstances and the amount of the loss or contamination and such other information with respect thereto as the director may require;

(8) Dyed diesel fuel or dyed kerosene used for an exempt purpose. This exemption shall be claimed as follows:

(a) A supplier or importer shall take a deduction against motor fuel tax owed on their monthly report for those gallons of dyed diesel fuel or dyed kerosene imported or removed from a terminal or refinery destined for delivery to a point in this state as shown on the shipping papers;

(b) This exemption shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax on removal of the product from a terminal or refinery in this state;

(c) This exemption shall be claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars.

**(9) Motor fuel delivered to any marina within this state that sells such fuel solely for use in any watercraft, as such term is defined in section 306.010, and not accessible to other motor vehicles, is exempt from the fuel tax imposed by this chapter. Any motor fuel distributor that delivers motor fuel to any marina in this state for use solely in any watercraft, as such term is defined in section 306.010, may claim the exemption provided in this subsection. Any motor fuel customer who purchases motor fuel for use in any watercraft, as such term is defined in section 306.010, at a location other than a marina within this state may claim the exemption provided in this subsection by filing a claim for refund of the fuel tax.”; and**

Further amend said bill, Page 2, Section 144.021, Line 29, by inserting after all of said line and section the following:

“144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in

section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight; and the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subdivision "motor vehicle" and "public highway" shall have the meaning as ascribed in section 390.020;

(5) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant

to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(6) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(7) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(8) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(9) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(10) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(11) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(12) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(13) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (5) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(14) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose

of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(17) Tangible personal property purchased by a rural water district;

(18) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation, provided, however, that a municipality or other political subdivision may enter into revenue-sharing agreements with private persons, firms, or corporations providing goods or services, including management services, in or for the place of amusement, entertainment or recreation, games or athletic events, and provided further that nothing in this subdivision shall exempt from tax any amounts retained by any private person, firm, or corporation under such revenue-sharing agreement;

(19) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(20) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(21) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (20) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(22) All ticket sales made by benevolent, scientific and educational associations which are formed to

foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(23) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term “feed additives” means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term “pesticides” includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term “farm machinery and equipment” means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser’s purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;

(b) Used on land owned or leased for the purpose of producing farm products; and

(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(24) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) “Domestic use” means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt

based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(25) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(26) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(27) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(28) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(29) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(30) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(31) All sales of barges which are to be used primarily in the transportation of property or cargo on

interstate waterways;

(32) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (5) of this subsection;

(33) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(34) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(35) All sales of grain bins for storage of grain for resale;

(36) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(37) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(38) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(39) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(40) All purchases by a sports complex authority created under section 64.920, and all sales of utilities

by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(41) Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(42) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event;

**(43) All sales of motor fuel, as defined in section 142.800, used in any watercraft, as defined in section 306.010.**

3. Any ruling, agreement, or contract, whether written or oral, express or implied, between a person and this state's executive branch, or any other state agency or department, stating, agreeing, or ruling that such person is not required to collect sales and use tax in this state despite the presence of a warehouse, distribution center, or fulfillment center in this state that is owned or operated by the person or an affiliated person shall be null and void unless it is specifically approved by a majority vote of each of the houses of the general assembly. For purposes of this subsection, an "affiliated person" means any person that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code of 1986, as amended, as the vendor or any other entity that, notwithstanding its form of organization, bears the same ownership relationship to the vendor as a corporation that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code, as amended.";

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 662, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"94.270. 1. The mayor and board of aldermen shall have power and authority to regulate and to license and to levy and collect a license tax on auctioneers, druggists, hawkers, peddlers, banks, brokers, pawnbrokers, merchants of all kinds, grocers, confectioners, restaurants, butchers, taverns, hotels, public boardinghouses, billiard and pool tables and other tables, bowling alleys, lumber dealers, real estate agents, loan companies, loan agents, public buildings, public halls, opera houses, concerts, photographers, bill posters, artists, agents, porters, public lecturers, public meetings, circuses and shows, for parades and exhibitions, moving picture shows, horse or cattle dealers, patent right dealers, stockyards, inspectors, gaugers, mercantile agents, gas companies, insurance companies, insurance agents, express companies, and express agents, telegraph companies, light, power and water companies, telephone companies, manufacturing and other corporations or institutions, automobile agencies, and dealers, public garages, automobile repair shops or both combined, dealers in automobile accessories, gasoline filling stations, soft drink stands, ice cream stands, ice cream and soft drink stands combined, soda fountains, street railroad cars, omnibuses, drays, transfer and all other vehicles, traveling and auction stores, plumbers, and all other business, trades and avocations whatsoever, and fix the rate of carriage of persons, drayage and cartage of property; and to license, tax, regulate and suppress ordinaries, money brokers, money changers, intelligence and employment offices and agencies, public masquerades, balls, street exhibitions, dance houses, fortune



tellers, pistol galleries, corn doctors, private venereal hospitals, museums, menageries, equestrian performances, horoscopic views, telescopic views, lung testers, muscle developers, magnifying glasses, ten pin alleys, ball alleys, billiard tables, pool tables and other tables, theatrical or other exhibitions, boxing and sparring exhibitions, shows and amusements, tippling houses, and sales of unclaimed goods by express companies or common carriers, auto wrecking shops and junk dealers; to license, tax and regulate hackmen, draymen, omnibus drivers, porters and all others pursuing like occupations, with or without vehicles, and to prescribe their compensation; and to regulate, license and restrain runners for steamboats, cars, and public houses; and to license ferries, and to regulate the same and the landing thereof within the limits of the city, and to license and tax auto liveries, auto drays and jitneys.

2. Notwithstanding any other law to the contrary, no city of the fourth classification with more than eight hundred but less than nine hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants shall levy or collect a license fee on hotels or motels in an amount in excess of [twenty-seven] **thirteen** dollars **fifty cents** per room per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitations of this subsection shall be automatically reduced to comply with this subsection.

3. Notwithstanding any other law to the contrary, no city of the fourth classification with more than four thousand one hundred but less than four thousand two hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants shall levy or collect a license fee on hotels or motels in an amount in excess of thirteen dollars and fifty cents per room per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitations of this subsection shall be automatically reduced to comply with this subsection.

4. Notwithstanding any other law to the contrary, on or after January 1, 2006, no city of the fourth classification with more than fifty-one thousand three hundred and eighty but less than fifty-one thousand four hundred inhabitants and located in any county with a charter form of government and with more than two hundred eighty thousand but less than two hundred eighty-five thousand or no city of the fourth classification with more than fifty-one thousand but fewer than fifty-two thousand inhabitants and located in any county with a charter form of government and with more than two hundred eighty thousand but less than two hundred eighty-five thousand shall levy or collect a license fee on hotels or motels in an amount in excess of one thousand dollars per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitation of this subsection shall be automatically reduced to comply with this subsection.

5. Any city under subsection 4 of this section may increase a hotel and motel license tax by five percent per year but the total tax levied under this section shall not exceed one-eighth of one percent of such hotels' or motels' gross revenue.

6. Any city under subsection 1 of this section may increase a hotel and motel license tax by five percent per year but the total tax levied under this section shall not exceed the greater of:

- (1) One-eighth of one percent of such hotels' or motels' gross revenue; or
- (2) The business license tax rate for such hotel or motel on May 1, 2005.

7. The provisions of subsection 6 of this section shall not apply to any tax levied by a city when the revenue from such tax is restricted for use to a project from which bonds are outstanding as of May 1,

2005.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 6

Amend House Amendment No. 6 to House Committee Substitute for Senate Bill No. 662, Page 3, Line 24, by inserting after all of said line the following:

“Further amend said bill, Page 2, Section 144.021, Line 29, by inserting after all of said section and line the following:

**“144.1030. Notwithstanding the provisions of sections 144.010, 144.018, and 144.020 to the contrary, in the case of a multi-use arena that:**

**(1) Is publicly owned, but operated under a contract with a private company;**

**(2) Was originally funded in a public-private partnership that included private investment of at least forty million dollars; and**

**(3) Is located in a home rule city with more than four hundred thousand inhabitants and located in more than one county;**

**“sales at retail” shall not include the amount paid that results in the first opportunity to purchase or decline tickets for admission to events at such arena, but does not itself result in admission.”; and”:**  
and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO  
HOUSE AMENDMENT NO. 6

Amend House Amendment No. 6 to House Committee Substitute for Senate Bill No. 662, Page 3, Line 25, by inserting after all of said line the following:

“Further amend said bill, Page 2, Section 144.021, Line 29, by inserting after all of said line the following:

**“144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.**

**2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:**

**(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax**

is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight; and the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subdivision "motor vehicle" and "public highway" shall have the meaning as ascribed in section 390.020;

(5) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(6) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to

expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(7) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(8) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(9) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(10) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(11) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(12) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(13) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (5) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(14) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(17) Tangible personal property purchased by a rural water district;

(18) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events,

including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation, provided, however, that a municipality or other political subdivision may enter into revenue-sharing agreements with private persons, firms, or corporations providing goods or services, including management services, in or for the place of amusement, entertainment or recreation, games or athletic events, and provided further that nothing in this subdivision shall exempt from tax any amounts retained by any private person, firm, or corporation under such revenue-sharing agreement;

(19) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(20) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(21) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, **all sales made at a canteen or commissary established under sections 217.195 and 221.102**, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (20) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(22) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(23) All sales made to any private not-for-profit elementary or secondary school, all sales of feed

additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term “feed additives” means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term “pesticides” includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term “farm machinery and equipment” means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser’s purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;

(b) Used on land owned or leased for the purpose of producing farm products; and

(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(24) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) “Domestic use” means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller’s utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification “residential” and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller’s utility service rate classification and the provision of service thereunder shall be conclusive as to

whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(25) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(26) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(27) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(28) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(29) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(30) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(31) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(32) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (5) of this subsection;

(33) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(34) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(35) All sales of grain bins for storage of grain for resale;

(36) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(37) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(38) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(39) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(40) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(41) Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(42) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of



business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event.

3. Any ruling, agreement, or contract, whether written or oral, express or implied, between a person and this state's executive branch, or any other state agency or department, stating, agreeing, or ruling that such person is not required to collect sales and use tax in this state despite the presence of a warehouse, distribution center, or fulfillment center in this state that is owned or operated by the person or an affiliated person shall be null and void unless it is specifically approved by a majority vote of each of the houses of the general assembly. For purposes of this subsection, an "affiliated person" means any person that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code of 1986, as amended, as the vendor or any other entity that, notwithstanding its form of organization, bears the same ownership relationship to the vendor as a corporation that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code, as amended.""; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 662, Page 1, Section A, Line 2, by inserting after all of said line the following:

**"67.585. 1. The governing body of any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, through the creation of a recreational and community center district which shall include only the area encompassed by the portion of a school district located within that county having an average daily attendance for the 2012-2013 school year between eleven thousand and twelve thousand students and any public park located wholly or partially within that portion of the school district, upon voter approval as outlined in subsections 2 and 3 of this section, shall impose, by order or ordinance, a sales tax on all retail sales made within the recreational and community center district which are subject to sales tax under chapter 144. The tax authorized in this section shall not exceed one half of one percent and shall be imposed for the purpose of funding the construction, maintenance, and operation of and the purchase of equipment for community centers and other purposes of recreation and wellness as determined by the board which is established in subsection 8 of this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law and shall be stated separately from all other charges and taxes.**

**2. (1) No such order or ordinance adopted under subsection 1 of this section shall become effective unless the governing body of the county submits to the voters residing within the recreational and community center district on any date available for elections in the county, a proposal to authorize the governing body of the county to impose a tax under this section; or**

**(2) If the governing body of the county receives a petition signed by ten percent of the registered voters of the county within the recreational and community center district who voted in the last gubernatorial election calling for an election to impose a tax under this section, the governing body shall submit to the voters of the county within the recreational and community center district on any date available for elections in the county, a proposal to authorize the governing body of the county to impose a tax under this section; or**

**(3) If the governing body of a special charter city with more than twenty-nine thousand but fewer than thirty-two thousand inhabitants, and a governing body of a home rule city with more than four hundred thousand inhabitants and located in more than one county, jointly request, the governing body of the county shall submit to the voters of the county within the recreational and community center district on any date available for elections in the county a proposal to authorize the governing body of the county to impose a tax under this section.**

**All costs associated with placing such a question to the voters within the recreational and community center district shall be borne by the cities referenced in subdivision (3) of subsection 2 of this section. If such tax is authorized by the voters of the recreational and community center district, the cost may be reimbursed to such cities upon implementation of the tax.**

**3. The ballot of submission shall contain, but need not be limited to, the following language:**

**Shall the county of ..... (county's name) impose a sales tax of ..... (insert amount) within the boundaries of the ..... (insert name) school district for the purpose of funding the construction, repair, improvement, maintenance, and operation of and purchase of equipment for community centers and other recreational facilities and programs?**

**If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by the requisite majority of the qualified voters voting on the question. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal under this section.**

**4. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.**

**5. All revenue collected under this section by the director of the department of revenue on behalf of any county, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Recreational and Community Center District Sales Tax Trust Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the county for erroneous payments and overpayments made and may redeem dishonored checks and drafts deposited to the credit of such county.**

**6. A question of repeal of the sales tax authorized in this section shall be submitted to the voters on any date available for elections in the county, of the recreational and community center district by the governing body of any county that has adopted the sales tax authorized in this section if:**

**(1) The board authorized in subsection 8 of this section requests such; or**

**(2) A petition signed by a number of registered voters of the county within the recreational and community center district equal to at least ten percent of the number of registered voters of the county within the recreational and community center district voting in the last gubernatorial election is received requesting such.**

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If less than a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal under this section. No tax imposed pursuant to this section for the purpose of retiring bonds, as authorized in subsection 8 in this section, may be terminated until all such bonds have been retired.

7. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal, and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director shall remit the balance in the account to the county and close the account of that county. The director shall notify each county of each instance of any amount refunded or any check redeemed from receipts due to the county.

8. A board shall be established to administer the powers and duties as provided in this section. The board may issue debt for the district as authorized under section 67.798. All board members shall be residents of the recreational and community center district. The board shall consist of eight members as follows:

(1) Four members appointed by the mayor of a home rule city with more than four hundred thousand inhabitants and located in more than one county, with two of the first members appointed for a two-year term and the other two members appointed for a four-year term. Thereafter, each appointment shall be for a four-year term;

(2) Four members appointed by the mayor of a special charter city with more than twenty-nine thousand but fewer than thirty-two thousand inhabitants, with two of the first members appointed for a two-year term and the other two members appointed for a four-year term. Thereafter, each appointment shall be for a four-year term;

A board member may be removed by the mayor who appointed him or her, at any time during his or her term, for reasons of excessive absence at regularly scheduled board meetings. The mayor shall appoint a replacement member to serve for the remainder of the current term. No member may serve more than two full terms. A partial term shall not be considered a term.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR  
HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 662, Page 2, Section 144.021, Line 29 by inserting after said line the following:

“144.059. 1. As used in this section, the term “‘Made in USA’ product” means any new product

that supports a claim to be made in the United States under the policy on “Made in USA” claims enforced by the Federal Trade Commission and that is not already exempt from state sales taxes under any provision of state law.

2. In each year beginning on or after January 1, 2015, but ending on or before December 31, 2016, retailers may specifically exempt from the state sales tax law all retail sales of any “Made in USA” product during a seven-day period beginning at 12:01 a.m. on July first and ending at midnight on July seventh, unless July first is a Sunday. If July first is a Sunday, the seven-day period shall begin on July second and end on July eighth. The exemption provided in this section shall apply only to the first fifteen thousand dollars of each purchase of a “Made in USA” product.

3. Any political subdivision may, by order or ordinance, allow the sales tax holiday established in this section to apply to its local sales taxes. A political subdivision shall notify the department of revenue not less than forty-five calendar days before the beginning date of the sales tax holiday occurring in that year of any order or ordinance applying the sales tax holiday to its local sales taxes.

4. After adopting an order or ordinance to apply the sales tax holiday established in this section to the political subdivision’s local sales taxes, a political subdivision may, by order or ordinance, rescind the order or ordinance applying the sales tax holiday to its local sales taxes. The political subdivision shall notify the department of revenue not less than forty-five calendar days before the beginning date of the sales tax holiday occurring in that year of any order or ordinance rescinding an order or ordinance to apply the sales tax holiday to its local sales taxes.

5. Retailers that do not participate in the sales tax holiday may offer department of revenue sales tax refund forms to consumers to file for refunds directly from the department of revenue or offer on-site sales tax refunds in lieu of participating in the sales tax holiday.

6. No sale of any motor vehicle, as defined in section 301.010, shall be exempt from any sales tax under this section.

7. No sale of dispensed fuel shall be exempt from any sales tax under this section.”; and Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 662, Page 1, in the Title, Lines 2-3, by deleting the words, “notice of sales tax modifications” and inserting in lieu thereof the word “taxation”; and

Further amend said bill, page, Section A, Line 2, by inserting after all of said line and section the following:

“32.383. 1. Notwithstanding the provisions of any other law to the contrary, with respect to taxes administered by the department of revenue under this chapter and chapters 143, 144, and 147, an amnesty from the assessment or payment of all penalties, additions to tax, and interest shall apply with respect to unpaid taxes or taxes due and owing reported and paid in full from July 1, 2014, to September 30, 2014, regardless of whether previously assessed, except for penalties, additions to tax, and interest paid before July 1, 2014. The amnesty shall apply only to tax liabilities due or due but unpaid on or before December 31, 2013, and shall not extend to any taxpayer who at the time of payment is a party to any criminal investigations or to any civil or criminal litigation that is pending in any court of the United States or this state for nonpayment, delinquency, or fraud in relation to any

state tax imposed by this state.

2. Upon written application by the taxpayer, on forms prescribed by the director of revenue, and upon compliance with the provisions of this section, the department of revenue shall not seek to collect any penalty, addition to tax, or interest that may be applicable. The department of revenue shall not seek civil or criminal prosecution for any taxpayer for the taxable period for which the amnesty has been granted unless subsequent investigation or audit shows that the taxpayer engaged in fraudulent or criminal conduct in applying for amnesty.

3. Amnesty shall be granted only to those taxpayers who have applied for amnesty within the period stated in this section, who have filed a tax return for each taxable period for which amnesty is requested, who have paid the entire balance by September 30, 2014, and who agree to comply with state tax laws for the next eight years from the date of the agreement. No taxpayer shall be entitled to a waiver of any penalty, addition to tax, or interest under this section unless full payment of the tax due is made in accordance with rules established by the director of revenue.

4. All taxpayers granted amnesty under this section shall in good faith comply with this state's tax laws for the eight years following the date of the amnesty agreement. If any such taxpayer fails to comply with all of this state's tax laws at any time during the eight years following the date of the agreement, all penalties, additions to tax, and interest that were waived under the amnesty agreement shall become due and owing immediately.

5. If a taxpayer is granted amnesty under this section, such taxpayer shall not be eligible to participate in any future amnesty for the same tax.

6. If a taxpayer elects to participate in the amnesty program established in this section as evidenced by full payment of the tax due as established by the director of revenue, that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal. No tax payment received under this section shall be eligible for refund or credit.

7. Nothing in this section shall be interpreted to disallow the department of revenue to adjust a taxpayer's tax return as a result of any state or federal audit.

8. All tax payments received as a result of the amnesty program established in this section, other than revenues earmarked by the Constitution of Missouri or this state's statutes, shall be deposited in the state general revenue fund.

9. The department may promulgate rules or issue administrative guidelines as are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2014, shall be invalid and void.

10. This section shall become effective on July 1, 2014, and shall expire on December 31, 2022.

11. If any provision of this section or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this section which can be given effect

**without the invalid provision or application, and to this end the provisions of this section are severable.”; and**

Further amend said bill, Page 2, Section 144.021, Line 29, by inserting after all of said section and line the following:

“Section B. Because immediate action is necessary to secure adequate state revenue, the enactment of section 32.383 is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and the enactment of section 32.383 is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 32.383 shall be in full force and effect on July 1, 2014, or upon its passage and approval, whichever occurs later.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 614**, entitled:

An Act to repeal sections 67.320, 476.445, 477.081, 477.082, 477.152, 477.160, 477.170, 477.180, 477.181, 477.190, 477.191, 478.430, and 478.433, RSMo, and to enact in lieu thereof four new sections relating to judicial personnel.

With House Amendment Nos. 1, 2 and 3.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 614, Page 2, Section 477.180, Line 2, by inserting after all of said section and line the following:

“478.320. 1. In counties having a population of thirty thousand or less, there shall be one associate circuit judge. In counties having a population of more than thirty thousand and less than one hundred thousand, there shall be two associate circuit judges. In counties having a population of one hundred thousand or more, there shall be three associate circuit judges and one additional associate circuit judge for each additional one hundred thousand inhabitants.

2. [When the office of state courts administrator indicates in an annual judicial weighted workload model for three consecutive years or more the need for four or more full-time judicial positions in any judicial circuit having a population of one hundred thousand or more, there shall be one additional associate circuit judge position in such circuit for every four full-time judicial positions needed as indicated in the weighted workload model. In a multicounty circuit, the additional associate circuit judge positions shall be apportioned among the counties in the circuit on the basis of population, starting with the most populous county, then the next most populous county, and so forth.

3.] For purposes of this section, notwithstanding the provisions of section 1.100, population of a county shall be determined on the basis of the last previous decennial census of the United States; and, beginning after certification of the year 2000 decennial census, on the basis of annual population estimates prepared by the United States Bureau of the Census, provided that the number of associate circuit judge positions in

a county shall be adjusted only after population estimates for three consecutive years indicate population change in the county to a level provided by subsection 1 of this section.

[4.] **3.** Except in circuits where associate circuit judges are selected under the provisions of Sections 25(a) to (g) of Article V of the constitution, the election of associate circuit judges shall in all respects be conducted as other elections and the returns made as for other officers.

[5.] **4.** In counties not subject to Sections 25(a) to (g) of Article V of the constitution, associate circuit judges shall be elected by the county at large.

[6.] **5.** No associate circuit judge shall practice law, or do a law business, nor shall he or she accept, during his or her term of office, any public appointment for which he or she receives compensation for his or her services.

[7.] **6.** No person shall be elected as an associate circuit judge unless he or she has resided in the county for which he or she is to be elected at least one year prior to the date of his or her election; provided that, a person who is appointed by the governor to fill a vacancy may file for election and be elected notwithstanding the provisions of this subsection.

478.437. **1.** The circuit court of the county of St. Louis, comprising circuit number twenty-one, shall be composed of nineteen divisions and nineteen judges and each of the judges shall separately try causes, exercise the powers and perform all the duties imposed upon circuit judges.

**2. Notwithstanding the provisions of section 478.320 to the contrary, if the circuit court of St. Louis County is awarded additional associate circuit judge positions in 2014 in accordance with subsections 1 and 2 of section 478.320, there shall be one additional associate circuit judge position and one additional circuit judge position in lieu of the additional associate circuit judge positions awarded under subsections 1 and 2 of section 478.320.**

478.464. [1.] In the sixteenth judicial circuit, [associate circuit divisions shall hereafter be numbered beginning with the number 25:

- (1) Division 101 shall hereafter be division 25;
- (2) Division 102 shall hereafter be division 26;
- (3) Division 103 shall hereafter be division 27;
- (4) Division 104 shall hereafter be division 28;
- (5) Division 105 shall hereafter be division 29;
- (6) Division 106 shall hereafter be division 30;
- (7) Division 107 shall hereafter be division 31; and
- (8) Division 108 shall hereafter be division 32.

**2.** Twelve months after construction of two new courtrooms in Independence is completed, there shall be one additional associate circuit judge in the sixteenth judicial circuit, to be known as division 33. The presiding judge of such circuit shall certify to the state of administration office the actual date of completion of said construction.

**3.] there shall be ten associate circuit judges. These judges shall sit in ten divisions, which shall be numbered beginning with the number 25. Divisions 25, 26, 27, 29, and 31 shall sit in Kansas City and divisions 28, 30, 32, and 33 shall sit in Independence. Division 34 shall sit in the location determined by the court en banc. The tenth associate circuit judgeship shall not be included in the statutory formula for authorizing additional associate circuit judgeships per county under section 478.320.**

478.513. 1. There shall be five circuit judges in the thirty-first judicial circuit [consisting of the county of Greene]. These judges shall sit in divisions numbered one, two, three, four and five.

2. The circuit judge in division three shall be elected in 1980. The circuit judges in divisions one, four and five shall be elected in 1982. The circuit judge in division two shall be elected in 1984.

**3. Beginning in fiscal year 2015, there shall be one additional associate circuit judge in the thirty-first judicial circuit, and there shall continue to be the associate judge position authorized in fiscal year 2014. Neither associate circuit judgeship shall be included in the statutory formula for authorizing additional associate circuit judgeships per county under section 478.320.**

478.600. 1. There shall be four circuit judges in the eleventh judicial circuit [consisting of the county of St. Charles]. These judges shall sit in divisions numbered one, two, three and four. Beginning on January 1, 2007, there shall be six circuit judges in the eleventh judicial circuit and these judges shall sit in divisions numbered one, two, three, four, five, and seven. The division five associate circuit judge position and the division seven associate circuit judge position shall become circuit judge positions beginning January 1, 2007, and shall be numbered as divisions five and seven.

2. The circuit judge in division two shall be elected in 1980. The circuit judge in division four shall be elected in 1982. The circuit judge in division one shall be elected in 1984. The circuit judge in division three shall be elected in 1992. The circuit judges in divisions five and seven shall be elected for a six-year term in 2006.

3. Beginning January 1, 2007, the family court commissioner positions in the eleventh judicial circuit appointed under section 487.020 shall become associate circuit judge positions in all respects and shall be designated as divisions nine and ten respectively. These positions may retain the duties and responsibilities with regard to the family court. The associate circuit judges in divisions nine and ten shall be elected in 2006 for full four-year terms.

4. Beginning on January 1, 2007, the drug court commissioner position in the eleventh judicial circuit appointed under section 478.003 shall become an associate circuit judge position in all respects and shall be designated as division eleven. This position retains the duties and responsibilities with regard to the drug court. Such associate circuit judge shall be elected in 2006 for a full four-year term. This associate circuit judgeship shall not be included in the statutory formula for authorizing additional associate circuit judgeships per county under section 478.320.

**5. Beginning in fiscal year 2015, there shall be one additional associate circuit judge position in the eleventh judicial circuit. The associate circuit judge shall be elected in 2016, and such judicial position shall not be considered vacant or filled until January 1, 2017. This associate circuit judgeship shall not be included in the statutory formula for authorizing additional circuit judgeships per county under section 478.320.**

**478.740. Notwithstanding the provisions of section 478.320 to the contrary, if the thirty-eighth judicial circuit is awarded an additional associate circuit judge position in 2014 in accordance with**



subsections 1 and 2 of section 478.320, there shall be one additional circuit judge position in lieu of the additional associate circuit judge position awarded under subsections 1 and 2 of section 478.320. Such additional circuit judge position shall be in addition to the number of circuit judge and associate judge positions in existence in the thirty-eight judicial circuit on the effective date of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 614, Page 1, In the Title, Line 4, by deleting the word “personnel” and inserting in lieu thereof the word “procedures”; and

Further amend said bill, Page 2, Section 477.180, Line 2, by inserting after all of said section and line the following:

**“Section 1. All courts that require mandatory e-filing must accept, file, and docket a notice of entry of appearance filed by an attorney that was sent by fax or regular mail.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 614, Page 2, Section 477.180, Line 2, by inserting after all of said section and line the following:

“512.180. 1. Any person aggrieved by a judgment in a civil case tried without a jury before an associate circuit judge, other than an associate circuit judge sitting in the probate division or who has been assigned to hear the case on the record under procedures applicable before circuit judges, shall have the right of a trial de novo in all cases tried before municipal court or under the provisions of [chapters] **chapter 482[, 534, and 535].**

2. In all other contested civil cases tried with or without a jury before an associate circuit judge or on assignment under such procedures applicable before circuit judges or in any misdemeanor case or county ordinance violation case a record shall be kept, and any person aggrieved by a judgment rendered in any such case may have an appeal upon that record to the appropriate appellate court. At the discretion of the judge, but in compliance with the rules of the supreme court, the record may be a stenographic record or one made by the utilization of electronic, magnetic, or mechanical sound or video recording devices.

534.060. Forcible entries and detainers, and unlawful detainers, may be heard and determined by any associate circuit judge of the county in which they are committed. Neither the provisions of this section or any other section in this chapter shall preclude adoption of a local circuit court rule providing for the centralized filing of such cases, nor the assignment of such cases to particular associate circuit or circuit judges pursuant to local circuit court rule or action by the presiding judge of the circuit. Such cases shall be heard and determined by associate circuit judges unless a circuit judge is transferred or assigned to hear such case or cases or unless the plaintiff pursuant to subsection 2 of section 478.250 has designated the case as one to be heard under the practice and procedure applicable before circuit judges [and the case is heard by a circuit judge. If the case is heard before an associate circuit judge who has not been specially assigned to hear the case on the record]. **All cases under this chapter shall be heard on the record. Unless the plaintiff under subsection 2 of section 478.250 has designated the case as one to be heard under the practice and procedure applicable before circuit judges,** to the extent practice and procedure are not

provided in this chapter the practice and procedure provided in chapter 517 shall apply. If the [case is heard initially before an associate circuit judge who has been specially assigned to hear the case on a record or before a circuit judge, the case shall be heard and determined under the same practice and procedure as would apply if the case was being heard upon an application for trial de novo, and in such instances, notwithstanding the specific references to chapter 517 in this chapter,] **plaintiff under subsection 2 of section 478.250 has designated the case as one to be heard under the practice and procedure applicable before circuit judges, the case shall be heard and determined under the rules of practice and procedure provided in the Missouri Rules of Civil Procedure [and the extant provisions of The Civil Code of Missouri shall apply] instead of those contained in chapter 517, notwithstanding the specific references to chapter 517 in this chapter.**

534.350. The judge rendering judgment in any such cause may issue execution at any time after judgment, but such execution shall not be levied until after the expiration of the time allowed for [the filing of an application for trial de novo or] the taking of an appeal, except as in the next succeeding section is provided.

534.360. If it shall appear to the officer having charge of the execution that the defendant therein is about to remove, conceal or dispose of his property, so as to hinder or delay the levy, the rents and profits, damages and costs may be levied before the expiration of the time allowed for [the filing of an application for a trial de novo or] taking an appeal.

534.380. Applications for [trials de novo and] appeals shall be allowed and conducted in the manner provided [in chapter 512] **by the Missouri Rules of Civil Procedure**. Application for [a trial de novo or] appeal shall not stay execution for restitution of the premises unless the defendant gives bond within the time for appeal. The bond shall be for the amount of the judgment and with the condition to stay waste and to pay all subsequently accruing rent, if any, into court within ten days after it becomes due, pending determination of the [trial de novo or] appeal, subject to the judge's discretion. However, in any case in which the defendant receives a reduction in rent due to a local, state or federal subsidy program, the amount of the bond shall be reduced by the amount of said subsidy. Execution other than for restitution shall be stayed if the defendant files a bond in the proper amount at such time as otherwise provided by law.

535.030. 1. Such summons shall be served as in other civil cases at least four days before the court date in the summons. The summons shall include a court date which shall not be more than twenty-one business days from the date the summons is issued unless at the time of filing the affidavit the plaintiff or plaintiff's attorney consents in writing to a later date.

2. In addition to attempted personal service, the plaintiff may request, and thereupon the clerk of the court shall make an order directing that the officer, or other person empowered to execute the summons, shall also serve the same by securely affixing a copy of such summons and the complaint in a conspicuous place on the dwelling of the premises in question at least ten days before the court date in such summons, and by also mailing a copy of the summons and complaint to the defendant at the defendant's last known address by ordinary mail at least ten days before the court date. If the officer, or other person empowered to execute the summons, shall return that the defendant is not found, or that the defendant has absconded or vacated his or her usual place of abode in this state, and if proof be made by affidavit of the posting and of the mailing of a copy of the summons and complaint, the judge shall at the request of the plaintiff proceed to hear the case as if there had been personal service, and judgment shall be rendered and proceedings had as in other cases, except that no money judgment shall be granted the plaintiff where the defendant is in default and service is by the posting and mailing procedure set forth in this section.

3. If the plaintiff does not request service of the original summons by posting and mailing as provided in subsection 2 of this section, and if the officer, or other person empowered to execute the summons, makes return that the defendant is not found, or that the defendant has absconded or vacated the defendant's usual place of abode in this state, the plaintiff may request the issuance of an alias summons and service of the same by posting and mailing in the time and manner provided in subsection 2 of this section. In addition, the plaintiff or an agent of the plaintiff who is at least eighteen years of age may serve the summons by posting and mailing a copy of the summons in the time and manner provided in subsection 2 of this section. Upon proof by affidavit of the posting and of the mailing of a copy of the summons or alias summons and the complaint, the judge shall proceed to hear the case as if there had been personal service, and judgment shall be rendered and proceedings had as in other cases, except that no money judgment shall be granted the plaintiff where the defendant is in default and service is by the posting and mailing procedure provided in subsection 2 of this section.

4. On the date judgment is rendered as provided in this section where the defendant is in default, the clerk of the court shall mail to the defendant at the defendant's last known address by ordinary mail a notice informing the defendant of the judgment and the date it was entered, and stating that the defendant has ten days from the date of the judgment to file a motion to set aside the judgment [or to file an application for a trial de novo] in the circuit court, as the case may be, and that unless the judgment is set aside [or an application for a trial de novo is filed] within ten days, the judgment will become final and the defendant will be subject to eviction from the premises without further notice.

535.110. Applications for [trials de novo and] appeals shall be allowed and conducted in the manner provided [in chapter 512] **by the Missouri Rules of Civil Procedure**; but no application for [a trial de novo or] **an** appeal shall stay execution unless the defendant give bond, with security sufficient to secure the payment of all damages, costs and rent then due, and with condition to stay waste and to pay all subsequently accruing rent, if any, into court within ten days after it becomes due, pending determination of the [trial de novo or] appeal.

535.160. If the defendant, on the date any money judgment is given in any action pursuant to this chapter, either tenders to the landlord, or brings into the court where the suit is pending, all the rent then in arrears, and all the costs, further proceedings in the action shall cease and be stayed. If on any date after the date of any original trial [but before any trial de novo] the defendant shall satisfy such money judgment and pay all costs, any execution for possession of the subject premises shall cease and be stayed; except that the landlord shall not thereby be precluded from making application for appeal from such money judgment. If for any reason no money judgment is entered against the defendant and judgment for the plaintiff is limited only to possession of the subject premises, no stay of execution shall be had, except as provided by the provisions of section 535.110 or the rules of civil procedure or by agreement of the parties.

535.170. After the execution of any judgment for possession pursuant to this chapter, the lessee and the lessee's assignees, and all other persons deriving title under the lease from such lessee, shall be barred from reentry of such premises and from all relief, and except for error in the record or proceedings, the landlord shall from that day hold the demised premises discharged from the lease. Nothing in this section shall preclude an aggrieved party from perfecting an appeal [or securing a trial de novo] as to any judgment rendered, and may as a result of such appeal [or trial de novo] recover any damage incurred, including damages incurred from an unlawful dispossession.

535.200. 1. In the twenty-second judicial circuit, upon adoption of an ordinance by the city of St. Louis providing for expenditure of city funds for such purpose, a majority of the circuit judges, en banc, may

establish a landlord-tenant court, which shall be a division of the circuit court, and may authorize the appointment of not more than two landlord-tenant court commissioners. The landlord-tenant court commissioners shall be appointed by a landlord-tenant court judicial commission consisting of the presiding judge of the circuit, who shall be the chair, one circuit judge elected by the circuit judges, one associate circuit judge elected by the associate circuit judges of the circuit, and two members appointed by the mayor of the city of St. Louis, each of whom shall represent one of the two political parties casting the highest number of votes at the next preceding gubernatorial election. The procedures and operations of the landlord-tenant court judicial commission shall be established by circuit court rule.

2. Landlord-tenant commissioners may be authorized to hear in the first instance disputes involving landlords and their tenants. Landlord-tenant commissioners shall be authorized to make findings of fact and conclusions of law, and to issue orders for the payment of money, for the giving or taking of possession of residential property and any other equitable relief necessary to resolve disputes governed by the laws in chapters 441, 524, 534, and this chapter. Landlord-tenant commissioners may not, by ex parte means, hear cases and issue orders.

3. Landlord-tenant commissioners shall be licensed to practice law in this state and shall serve at the pleasure of a majority of the circuit and associate circuit judges, en banc, and shall be residents of the city of St. Louis, and shall receive as annual compensation an amount equal to one-third of the annual compensation of an associate circuit judge. Landlord-tenant commissioners shall not accept or handle cases in their practice of law which are inconsistent with their duties as a landlord-tenant commissioner and shall not be a judge or prosecutor for any other court. Landlord-tenant commissioners shall not be considered state employees and shall not be members of the state employees' or judicial retirement system or be eligible to receive any other employment benefit accorded state employees or judges.

4. A majority of the judges of the circuit, en banc, shall establish operating procedures for the landlord-tenant court. Proceedings in the landlord-tenant court shall be conducted as in cases tried before an associate circuit judge. The hearing shall be before a landlord-tenant commissioner without jury, and the commissioner shall assume an affirmative duty to determine the merits of the evidence presented and the defenses of the defendant and may question parties and witnesses. Clerks and computer personnel shall be assigned as needed for the efficient operation of the court.

5. The parties to a cause of action before a commissioner of the landlord-tenant court are entitled to file with the court a motion for a hearing in associate circuit court within ten days after the mailing, or within ten days after service.

6. Operating procedures shall be provided for electronic recording of proceedings at city expense. Any person aggrieved by a judgment in a case decided under this section shall have a right to [a trial de novo in circuit court, or] an appeal to the appropriate appellate court, in the same manner as would a person aggrieved by a decision of an associate circuit judge under section 535.110. The procedures for perfecting the right of [a trial de novo or] **an** appeal shall be the same as that provided pursuant to sections 512.180 to 512.320.

7. Any summons issued for the proceedings in the landlord-tenant court shall have a return date of ten days. The sheriff must attempt to serve any summons within four days of the date of issuance.

8. All costs to establish and operate a landlord-tenant court under this section shall be borne by the city of St. Louis.

535.210. 1. In the sixteenth judicial circuit, upon adoption of an ordinance by Jackson County providing for expenditure of county funds for such purpose, a majority of the circuit court judges, en banc, may establish a landlord-tenant court, which shall be a division of the circuit court, and may authorize the appointment of not more than two landlord-tenant court commissioners. The landlord-tenant court commissioners shall be appointed by a landlord-tenant court judicial commission consisting of the presiding judge of the circuit, who shall be the chair, one circuit judge elected by the circuit judges, one associate circuit judge elected by the associate circuit judges of the circuit, and two members appointed by the county executive of Jackson County, each of whom shall represent one of the two political parties casting the highest number of votes at the next preceding gubernatorial election. The procedures and operations of the landlord-tenant court judicial commission shall be established by circuit court rule.

2. Landlord-tenant commissioners may be authorized to hear in the first instance disputes involving landlords and their tenants. Landlord-tenant commissioners shall be authorized to make findings of fact and conclusions of law, and to issue orders for the payment of money, for the giving or taking of possession of residential property and any other equitable relief necessary to resolve disputes governed by the laws in chapters 441, 524, 534, and this chapter. Landlord-tenant commissioners may not, by ex parte means, hear cases and issue orders.

3. Landlord-tenant commissioners shall be licensed to practice law in this state and shall serve at the pleasure of a majority of the circuit and associate circuit judges, en banc, and shall be residents of Jackson County, and shall receive as annual compensation an amount equal to one-third of the annual compensation of an associate circuit judge. Landlord-tenant commissioners shall not accept or handle cases in their practice of law which are inconsistent with their duties as a landlord-tenant commissioner and shall not be a judge or prosecutor for any other court. Landlord-tenant commissioners shall not be considered state employees and shall not be members of the state employees' or judicial retirement system or be eligible to receive any other employment benefit accorded state employees or judges.

4. A majority of the judges of the circuit court, en banc, shall establish operating procedures for the landlord-tenant court. Proceedings in the landlord-tenant court, shall be conducted as in cases tried before an associate circuit judge. The hearing shall be before a landlord-tenant commissioner without jury, and the commissioner shall assume an affirmative duty to determine the merits of the evidence presented and the defenses of the defendant and may question parties and witnesses. Clerks and computer personnel shall be assigned as needed for the efficient operation of the court.

5. The parties to a cause of action before a commissioner of the landlord-tenant court are entitled to file with the court a motion for a hearing in associate circuit court within ten days after the mailing, or within ten days after service.

6. Operating procedures shall be provided for electronic recording of proceedings at county expense. Any person aggrieved by a judgment in a case decided under this section shall have a right to [a trial de novo in circuit court, or] an appeal to the appropriate appellate court, in the same manner as would a person aggrieved by a decision of an associate circuit judge under section 535.110. The procedures for perfecting the right of [a trial de novo or] **an** appeal shall be the same as that provided pursuant to sections 512.180 to 512.320.

7. Any summons issued for the proceedings in the landlord-tenant court shall have a return date of ten days from the date of service. [The sheriff] **Service** must [attempt to serve any summons] **be attempted** within four days of the date of issuance.

8. All costs to establish and operate a landlord-tenant court under this section shall be borne by Jackson County.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SJR 36**.

With House Amendment No. 1.

#### HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Joint Resolution No. 36, Page 2, Section 23, Lines 11 and 12, by deleting all of said lines and inserting in lieu thereof the following:

**“the rights of convicted violent felons or those adjudicated by a court to be a danger to self or others as result of a mental disorder or mental infirmity.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

#### MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

May 6, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointments to office made and submitted to you for your advice and consent:

James Buford, Republican, 1 Kingsbury Place, Saint Louis, Saint Louis County, Missouri 63112, as a member of the Harris-Stowe State University Board of Regents, for a term ending July 28, 2018, and until his successor is duly appointed and qualified; vice, Arteveld J. McCoy II, withdrawn.

Anna E. Crosslin, Democrat, 3651 Shenandoah, St. Louis City, Missouri 63110, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2019, and until her successor is duly appointed and qualified; vice, Anna E. Crosslin, withdrawn.

Bryan T. Scott, Democrat, 4349 Washington Boulevard, St. Louis City, Missouri 63108, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2017, and until his successor is duly appointed and qualified; vice, Bryan T. Scott, withdrawn.

Gregory W. Weaver, Democrat, 2141 East Berkeley, Springfield, Greene County, Missouri 65804, as a member of the Missouri Ethics Commission, for a term ending March 15, 2018, and until his successor is duly appointed and qualified; vice, Dennis E. Rose, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

#### REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted

the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 41**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 43**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

President Pro Tem Dempsey assumed the Chair.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1918**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1302**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 1085**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Nieves, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **HCS** for **HB 1204**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HCS** for **HB 1937**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HJR 90**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 1371**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 1192**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 1410**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 1594**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 1468**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **HB 1865**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following reports:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **HCS** for **HB 1124**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **HCS** for **HB 1261**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was



referred **HCS** for **HB 1075**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Romine assumed the Chair.

### **PRIVILEGED MOTIONS**

Senator Nieves moved that the Senate refuse to recede from its position on **SCS** for **HCS** for **HB 1439**, as amended, and grant the House a conference thereon, which motion prevailed.

Senator Emery moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HB 1490**, as amended, and grant the House a conference thereon, which motion prevailed.

Senator Kraus moved that the Senate refuse to concur in **HCS** for **SB 662**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

### **HOUSE BILLS ON THIRD READING**

Senator Brown moved that **HB 1617**, with **SCS**, **SS** for **SCS**, **SA 1** and **SA 1** to **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Brown, **SS** for **SCS** for **HB 1617** was withdrawn, rendering **SA 1** and **SA 1** to **SA 1** moot.

Senator Brown offered **SS No. 2** for **SCS** for **HB 1617**, entitled:

#### **SENATE SUBSTITUTE NO. 2 FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1617**

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations, with an effective date and a referendum clause.

Senator Brown moved that **SS No. 2** for **SCS** for **HB 1617** be adopted.

Senator Kraus assumed the Chair.

Senator Nasheed offered **SA 1**:

#### **SENATE AMENDMENT NO. 1**

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1617, Page 2, Section 105.504, Line 10 of said page, by inserting immediately after “responders” the following: “**or employees of the department of corrections**”.

Senator Nasheed moved that the above amendment be adopted.

Senator Kehoe assumed the Chair.

Senator Nasheed offered **SA 1** to **SA 1**:

#### **SENATE AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 1**

Amend Senate Amendment No. 1 to Senate Substitute No. 2 for Senate Committee Substitute for House

Bill No. 1617, Page 1, Section 105.504, Line 3, by inserting immediately after “corrections” the following **“or department of mental health”**.

Senator Nasheed moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Justus, Holsman, Keaveny and Walsh.

Senator Pearce assumed the Chair.

**SA 1 to SA 1** failed of adoption by the following vote:

YEAS—Senators

Holsman	Justus	LeVota	Nasheed	Sifton	Walsh—6
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NAYS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

Absent—Senators

Chappelle-Nadal	Curls	Keaveny—3
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Absent with leave—Senators—None

Vacancies—2

Senator LeVota offered **SA 2 to SA 1**:

SENATE AMENDMENT NO. 2 TO  
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1617, Page 1, Section 105.504, Line 3, by striking “employees of the department of corrections” and inserting in lieu thereof the following **“corrections employees working for the state or a political subdivision.”**.

Senator LeVota moved that the above amendment be adopted.

At the request of Senator Brown, **HB 1617**, with **SCS, SS No. 2** for **SCS, SA 1** and **SA 2 to SA 1** (pending), was placed on the Informal Calendar.

**REFERRALS**

President Pro Tem Dempsey referred **HCS** for **HJR 90**, with **SCS**; **HCS** for **HB 1371**, with **SCS**; **HB 1865**, with **SCS**; and **HCS** for **HB 1075** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey moved that the Gubernatorial Appointments appearing on page 1349 be returned to the Governor per his request, which motion prevailed.

**CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 1439**, as amended: Senators Nieves, Munzlinger, Dixon, Justus and Holsman.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HB 1490**, as amended: Senators Emery, Pearce, Lamping, Chappelle-Nadal and Keaveny.

### **COMMUNICATIONS**

Senator Dempsey submitted the following:

May 6, 2014

Terry Spieler  
Secretary of the Senate  
State Capitol Building  
Jefferson City, MO 65101

Dear Ms. Spieler,

I am appointing Senator Wayne Wallingford to the Missouri State Employees Retirement System Board of Trustees. If you have any questions, please do not hesitate to contact my office.

Sincerely,



Tom Dempsey  
President Pro Tem

### **INTRODUCTIONS OF GUESTS**

Senator LeVota introduced to the Senate, the Physician of the Day, Donald Potts, M.D., Independence.

Senator Kehoe introduced to the Senate, Art Hoelscher, Wardsville.

Senator Kehoe introduced to the Senate, Officer Ed Hayob, his brother and sister-in-law, John and Maraline, Jefferson City; and Dennis and Judy Skaggs.

Senator Brown introduced to the Senate, Christopher Brozyna, Ballwin.

Senator Sater introduced to the Senate, Megan Jobes and her children, Harrison and McKenna, Springfield.

Senator Kehoe introduced to the Senate, Jan and Aimee Smith, Jefferson City; Nadine Lane, Wheatland; Debra Sherrer, Richland; Linda Richert and Betty Gideon, Lebanon; Lisa Gideon, Montreal; Bev and David Troutman, Olivia Lane and Hailey Bartels, Olathe, Kansas.

Senator Libla introduced to the Senate, Rob and Donna Callahan, Poplar Bluff.

Senator Walsh introduced to the Senate, members of the Brotherhood of Locomotive Engineers and Trainmen.

Senator Pearce introduced to the Senate, teacher Libby Olenhouse; and fourth grade students: Shaylia Jarvis, Jessica Bryant, Heath Ferguson, Colton Stoner, Harrison Hall, Steele Russell, Shay Vasquez, Melody Simmons, Avery Matthews, Bobbi Helm, Maddie Newham, Haylee Deitch, Triniti Gibson, Kinley McClure, Gracie McKinney, Madison Smith and Keyton Laire, Norborne R-8 School.

On behalf of Senator Nieves, the President introduced to the Senate, Cindy Pool, Ellisville.

Senator Holsman introduced to the Senate, Pastor Chad Herrin, Kansas City.

Senator Walsh introduced to the Senate, teachers Corey Linehan, Alex Clark and high school students: Chellsy Carter, Arlonda Watson, Melvin Jones, Kyra Skinner, Taylor Howard, Travaghn Watson, LaNesha Clark, Tristen Gassoway, Christian Wells and Sierra Goldstein, Riverview Gardens High School, St. Louis.

Senator Emery introduced to the Senate, Jessi Hamilton, Villa Ridge.

Senator Keaveny introduced to the Senate, Alex Cornell du Houx.

On motion of Senator Richard, the Senate adjourned under the rules.

## SENATE CALENDAR

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SIXTY-FOURTH DAY—WEDNESDAY, MAY 7, 2014

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## FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HB 2077-Stream

HB 2063-Wieland, et al

### THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt (In  
Fiscal Oversight)

SS for SB 538-Keaveny (In Fiscal  
Oversight)

SS for SCS for SB 850-Munzlinger (In  
Fiscal Oversight)

### SENATE BILLS FOR PERFECTION

1. SB 858-Kraus
2. SB 669-Schaaf
3. SB 821-Schaefer
4. SB 823-Dixon, et al, with SCS
5. SB 973-Brown
6. SB 815-Pearce, with SCS

7. SBs 798 & 514-Emery, with SCS
8. SB 865-Nieves
9. SB 619-Nieves, with SCS
10. SB 531-Nasheed
11. SB 820-Schaefer

### HOUSE BILLS ON THIRD READING

1. HB 1073-Dugger, et al (Kraus)  
(In Fiscal Oversight)
2. HCS for HB 1412 (Parson)

3. HCS for HBs 1861 & 1864, with SCS  
(Munzlinger) (In Fiscal Oversight)
4. HCS for HB 1303 (Silvey)

5. HB 1504-Zerr, with SCS (Dempsey)
6. HB 2028-Peters, et al (Schmitt)
7. HCS for HB 1326, with SCS (In Fiscal Oversight) (Kehoe)
8. HB 1136-Dugger, et al, with SCS (Kraus)
9. HB 1411-Cross, et al, with SCS (Sifton)
10. HB 1372-Cox, et al (Kraus)
11. HB 1388-Cornejo, et al, with SCS (Schaefer)
12. HCS for HB 1336, with SCS (Wasson) (In Fiscal Oversight)
13. HJR 48-Solon, et al (Wallingford) (In Fiscal Oversight)
14. HCS for HB 1685 (Schaaf)
15. HCS for HB 1999 (Cunningham)
16. HB 1866-Schatz, et al, with SCS (Kehoe)
17. HCS for HB 1882 (Keaveny)
18. HCS for HB 1044, with SCS (Lamping)
19. HCS for HB 1156
20. HCS for HB 1918 (Lager)
21. HCS for HB 1302, with SCS
22. HCS for HB 1085
23. HCS for HB 1204, with SCS (Lager)
24. HCS for HB 1937, with SCS
25. HCS for HJR 90, with SCS (In Fiscal Oversight)
26. HCS for HB 1371, with SCS (In Fiscal Oversight)
27. HCS for HB 1192, with SCS
28. HCS for HB 1410, with SCS
29. HB 1594-Davis, et al, with SCS (Richard)
30. HB 1468-Dohrman, et al, with SCS
31. HB 1865-Redmon, et al, with SCS (Libla) (In Fiscal Oversight)
32. HCS for HB 1124, with SCS
33. HCS for HB 1261 (Kraus)
34. HCS for HB 1075 (In Fiscal Oversight)

#### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

- |   |  |
|---|--|
| SB 490-Lager and Kehoe, with SCS                      | SB 617-Parson, with SCS, SS for SCS & SA 1 (pending)               |
| SB 494-Pearce, with SS (pending)                      | SB 634-Parson, with SCS  |
| SB 501-Keaveny  | SB 641-Emery   |
| SB 518-Sater, with SCS, SA 2 & SA 1 to SA 2 (pending) | SB 644-LeVota  |
| SB 519-Sater, with SS & SA 1 (pending)                | SB 659-Wallingford, with SCS                                       |
| SS for SB 543-Munzlinger                              | SB 663-Munzlinger, with SCS  |
| SB 550-Sater, with SCS                                | SB 671-Sater   |
| SB 553-Emery, with SCS, SS for SCS & SA 1 (pending)   | SB 712-Walsh, with SCS & SS for SCS (pending)                      |
| SB 555-Nasheed, with SS & SA 1 (pending)              | SB 724-Parson  |
| SB 566-Sifton   | SB 739-Romine, with SCS, SS for SCS, SA 1 & SA 1 to SA 1 (pending) |
| SB 573-Munzlinger, with SCS                           | SB 755-Wallingford   |
| SB 578-Kraus  | SB 762-Schaefer, with SCS  |
| SB 589-Brown, with SCS, SA 2 & SA 1 to SA 2 (pending) | SB 769-Pearce, with SCS  |

SB 770-Wallingford, with SCS  
 SBs 787 & 804-Justus, with SCS  
 SB 790-Dixon  
 SB 814-Brown  
 SB 819-Wallingford, with SCS  
 SB 830-Parson  
 SBs 836 & 800-Munzlinger, with SCS  
 SB 846-Richard  
 SB 848-LeVota, with SCS  
 SB 875-Sater, with SCS  
 SB 887-Schaefer

SB 888-Parson, with SCS  
 SB 912-Wasson and Justus, with SCS  
 (pending)  
 SB 919-Justus  
 SB 966-Lager  
 SJR 25-Lager, with SS, SA 2 & SA 1 to SA 2  
 (pending)  
 SJR 26-Lager, with SS & SA 1 (pending)  
 SJR 34-Emery  
 SJR 42-Schmitt, with SS (pending)

### HOUSE BILLS ON THIRD READING

HB 1126-Dugger and Entlicher, with SCS &  
 SA 6 (pending) (Kraus)  
 HB 1173-Burlison, et al, with SA 1 & SA 1  
 to SA 1 (pending) (Brown)  
 HB 1184-Grisamore (Justus)  
 HCS for HB 1189, with SCA 1 (Kehoe)  
 HCS for HB 1295, with SCS (Kraus)  
 HCS for HB 1296, with SCS (Kraus)  
 HCS for HBs 1307 & 1313, with SCS, SA 2 &  
 point of order (pending) (Sater)  
 HCS for HB 1389 (Pearce)  
 HB 1390-Thomson, et al, with SCS (Pearce)  
 HB 1430-Jones (110), et al (Schaaf)  
 HB 1455-Hoskins and Fraker (Kraus)

HB 1495-Torpey and Hicks, with SCS &  
 SS#2 for SCS (pending) (Dixon)  
 HCS for HB 1501, with SS (pending)  
 (Schmitt)  
 HB 1506-Franklin, et al (Brown)  
 HCS for HB 1514, with SCS (Parson)  
 HCS for HB 1557 (Munzlinger)  
 HB 1617-Rehder, et al, with SCS, SS#2  
 for SCS, SA 1 & SA 2 to SA 1  
 (pending) (Brown)  
 HB 1651-Fraker (Cunningham)  
 HCS for HBs 1735 & 1618, with SCS (Kraus)  
 HCS for HJR 47 (Kraus)  
 HJR 72-Richardson, et al (Silvey)

### CONSENT CALENDAR

#### House Bills

Reported 4/15

HCS for HB 1510 (Brown)

### SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 526-Cunningham, with HA 1,  
 HA 2, HA 3, as amended, HA 4, as  
 amended, HA 5 & HA 6

SCS for SB 530-Libla, with HCS, as  
 amended  
 SB 614-Dixon, with HCS, as amended

SB 719-Kehoe, with HA 1 & HA 2  
SB 796-Parson, with HA 1  
SB 859-Brown, with HCS

SCS for SJR 36-Schaefer and Richard,  
with HA 1

**BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES**

**In Conference**

SCS for SBs 493, 485, 495, 516, 534,  
545, 595, 616 & 624-Pearce, with  
HCS, as amended  
SCS for SB 612-Schaaf, with HA 1, HA 2,  
HA 3, HA 4 & HA 5  
SCS for SB 672-Parson, with HCS, as  
amended  
SCS for SB 716-Brown, with HCS, as  
amended  
HB 1361-Gosen and Wieland, with SS, as  
amended (Parson)  
HCS for HB 1439, with SS for SCS, as  
amended (Nieves)  
HB 1490-Bahr, et al, with SS for SCS, as  
amended (Emery)  
HCS for HB 2002, with SCS, as amended  
(Schaefer)

HCS for HB 2003, with SCS, as amended  
(Schaefer)  
HCS for HB 2004, with SCS (Schaefer)  
HCS for HB 2005, with SCS (Schaefer)  
HCS for HB 2006, with SCS (Schaefer)  
HCS for HB 2007, with SCS (Schaefer)  
HCS for HB 2008, with SCS, as amended  
(Schaefer)  
HCS for HB 2009, with SCS, as amended  
(Schaefer)  
HCS for HB 2010, with SCS (Schaefer)  
HCS for HB 2011, with SS for SCS  
(Schaefer)  
HCS for HB 2012, with SCS (Schaefer)  
HCS for HB 2013, with SCS (Schaefer)

**Requests to Recede or Grant Conference**

SB 662-Kraus, with HCS, as amended  
(Senate requests House recede or  
grant conference)

**RESOLUTIONS**

**Reported from Committee**

SCR 41-Pearce

SCR 43-Sater

# Journal of the Senate

## SECOND REGULAR SESSION

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**SIXTY-FOURTH DAY—WEDNESDAY, MAY 7, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“For the Lord gives his people justice and shows compassion to his servants.” (Psalm 135:14)

Wondrous God, we started the day in prayer with colleagues and fellow servants of this state. We are thankful for those who have served in this Senate and appreciate the opportunity to build on their legacy. Grant Your blessing on all of us so that we may know and be the wise and compassionate people You have called each of us to be. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV and The Missouri Times were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.



**RESOLUTIONS**

Senator Romine offered Senate Resolution No. 2030, regarding Colleen V. Weiler, Ste. Genevieve, which was adopted.

Senator Romine offered Senate Resolution No. 2031, regarding Sharon R. Brooks, Ste. Genevieve, which was adopted.

Senator Romine offered Senate Resolution No. 2032, regarding Kay “Colleen” Looney, Desloge, which was adopted.

Senator Romine offered Senate Resolution No. 2033, regarding Shane Verges, Farmington, which was adopted.

Senator Romine offered Senate Resolution No. 2034, regarding Sharon Weston, Bismarck, which was adopted.

Senator Romine offered Senate Resolution No. 2035, regarding Donna Bess, Farmington, which was adopted.

**PRIVILEGED MOTIONS**

Senator Schaefer moved that **SCS** for **SJR 36**, with **HA 1**, be taken up for 3rd reading and final passage, which motion prevailed.

**HA 1** was taken up.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

## NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton
Walsh—9							

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schaefer, **SCS** for **SJR 36**, as amended, was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

NAYS—Senators

Chappelle-Nadal    Curls                    Holsman                    Justus                    Keaveny                    LeVota                    Sifton                    Walsh—8

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—2

The President declared the joint resolution passed.

On motion of Senator Schaefer, title to the joint resolution was agreed to.

Senator Schaefer moved that the vote by which the joint resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Joint resolution ordered enrolled.

Senator Dixon moved that the Senate refuse to concur in **HCS** for **SB 614**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

**HOUSE BILLS ON THIRD READING**

At the request of Senator Parson, **HCS** for **HB 1412** was placed on the Informal Calendar.

At the request of Senator Silvey, **HCS** for **HB 1303** was placed on the Informal Calendar.

**HB 1504**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Schmitt, **HB 2028** was placed on the Informal Calendar.

At the request of Senator Kraus, **HB 1136**, with **SCS**, was placed on the Informal Calendar.

**HB 1411**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kraus, **HB 1372** was placed on the Informal Calendar.

At the request of Senator Schaefer, **HB 1388**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Schaaf, **HCS** for **HB 1685** was placed on the Informal Calendar.

At the request of Senator Cunningham, **HCS** for **HB 1999** was placed on the Informal Calendar.

At the request of Senator Kehoe, **HB 1866**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Keaveny, **HCS** for **HB 1882** was placed on the Informal Calendar.

At the request of Senator Lamping, **HCS** for **HB 1044**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Pearce, **HCS** for **HB 1156** was placed on the Informal Calendar.

At the request of Senator Lager, **HCS** for **HB 1918** was placed on the Informal Calendar.

At the request of Senator Lager, **HCS** for **HB 1302**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Romine, **HCS** for **HB 1085** was placed on the Informal Calendar.

At the request of Senator Lager, **HCS** for **HB 1204**, with **SCS**, was placed on the Informal Calendar.

**HCS** for **HB 1937**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Brown, **HCS** for **HB 1192**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Schaefer, **HCS** for **HB 1410**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Richard, **HB 1594**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Pearce, **HB 1468**, with **SCS**, was placed on the Informal Calendar.

**HCS** for **HB 1124**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kraus, **HCS** for **HB 1261** was placed on the Informal Calendar.

**HCS** for **HB 1918**, entitled:

An Act to repeal section 442.571, RSMo, and to enact in lieu thereof one new section relating to foreign ownership of agricultural land, with an emergency clause.

Was called from the Informal Calendar and taken up by Senator Lager.

President Pro Tem Dempsey assumed the Chair.

Senator Wallingford offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill No. 1918, Page 1, Section 442.571, Line 4, by striking the word “one” and inserting in lieu thereof the following: “**one-half**”; and

Further amend said bill and section, Page 2, Line 19, by striking the word “one” and inserting in lieu thereof the following: “**one-half**”; and further amend line 28, by striking “2013” and inserting in lieu thereof the following: “**2014**”.

Senator Wallingford moved that the above amendment be adopted.

At the request of Senator Lager, **HCS** for **HB 1918**, with **SA 1** (pending), was placed on the Informal Calendar.

**HCS** for **HB 1124**, with **SCS**, entitled:

An Act to repeal sections 301.010 and 301.700, RSMo, and to enact in lieu thereof three new sections relating to motor vehicles.

Was called from the Informal Calendar and taken up by Senator Wasson.

**SCS** for **HCS** for **HB 1124**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1124

An Act to repeal sections 301.010 and 301.700, RSMo, and to enact in lieu thereof two new sections relating to off-highway motorized vehicles.

Was taken up.

Senator Wasson moved that **SCS** for **HCS** for **HB 1124** be adopted.

Senator Wasson offered **SS** for **SCS** for **HCS** for **HB 1124**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1124

An Act to repeal sections 301.010, 301.227, 301.700, 302.020, 407.815, 407.826, and 578.120, RSMo, and to enact in lieu thereof eight new sections relating to motor vehicles, with existing penalty provisions.

Senator Wasson moved that **SS** for **SCS** for **HCS** for **HB 1124** be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **SCS** for **HCS** for **HB 1124** was read the 3rd time and passed by the following vote:

YEAS—Senators

Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Pearce	Richard	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senators

Brown	Nieves	Romine—3
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Absent—Senator Parson—1

Absent with leave—Senators—None

Vacancies—2

The President Pro Tem declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 1136**, introduced by Representative Dugger, et al, with **SCS**, entitled:

An Act to repeal sections 115.013, 115.104, 115.121, 115.221, 115.231, 115.237, 115.251, 115.253,

115.255, 115.257, 115.261, 115.263, 115.265, 115.267, 115.269, 115.271, 115.273, 115.301, 115.305, 115.342, 115.346, 115.417, 115.420, 115.431, 115.443, 115.453, 115.475, 115.477, 115.479, 115.483, 115.485, 115.487, 115.489, 115.495, and 115.503, RSMo, and to enact in lieu thereof twenty-six new sections relating to elections.

Was called from the Informal Calendar and taken up by Senator Kraus.

**SCS** for **HB 1136**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1136

An Act to repeal sections 115.013, 115.104, 115.121, 115.221, 115.231, 115.237, 115.251, 115.253, 115.255, 115.257, 115.261, 115.263, 115.265, 115.267, 115.269, 115.271, 115.273, 115.301, 115.305, 115.342, 115.346, 115.417, 115.420, 115.431, 115.443, 115.453, 115.475, 115.477, 115.479, 115.483, 115.485, 115.487, 115.489, 115.495, and 115.503, RSMo, and to enact in lieu thereof twenty-six new sections relating to elections.

Was taken up.

Senator Kraus moved that **SCS** for **HB 1136** be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **HB 1136** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President Pro Tem declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 2028**, introduced by Representative Peters, et al, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of epilepsy awareness month.

Was called from the Informal Calendar and taken up by Senator Schmitt.

At the request of Senator Schmitt, **HB 2028** was placed on the Informal Calendar.

**HCS for HB 1389**, entitled:

An Act to repeal sections 173.030 and 174.450, RSMo, and to enact in lieu thereof two new sections relating to state authorization of reciprocity agreements for distance education.

Was called from the Informal Calendar and taken up by Senator Pearce.

On motion of Senator Pearce, **HCS for HB 1389** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President Pro Tem declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS for HB 1412**, entitled:

An Act to repeal sections 400.9-501 and 400.9-516, RSMo, and to enact in lieu thereof two new sections relating to the filing of fraudulent documents, with penalty provisions.

Was called from the Informal Calendar and taken up by Senator Parson.

On motion of Senator Parson, **HCS for HB 1412** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President Pro Tem declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 1411**, introduced by Representative Cross, et al, with **SCS**, entitled:

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to tanning facilities, with a penalty provision.

Was called from the Informal Calendar and taken up by Senator Sifton.

**SCS** for **HB 1411**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1411

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to tanning facilities, with a penalty provision.

Was taken up.

Senator Sifton moved that **SCS** for **HB 1411** be adopted.

Senator Sifton offered **SS** for **SCS** for **HB 1411**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1411

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to tanning facilities, with a penalty provision.

Senator Sifton moved that **SS** for **SCS** for **HB 1411** be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Sifton, **SS** for **SCS** for **HB 1411** was read the 3rd time and passed by the following vote:

YEAS—Senators

Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny
Kehoe	Munzlinger	Nasheed	Nieves	Richard	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—22		

NAYS—Senators

Brown	Emery	Kraus	Lager	Lamping	LeVota	Libla	Parson
Pearce	Romine—10						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Sifton, title to the bill was agreed to.

Senator Sifton moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schmitt assumed the Chair.

**HB 1504**, introduced by Representative Zerr, with **SCS**, entitled:

An Act to repeal section 99.845, RSMo, and to enact in lieu thereof one new section relating to tax increment financing.

Was called from the Informal Calendar and taken up by Senator Dempsey.

**SCS** for **HB 1504**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1504

An Act to repeal section 99.845, RSMo, and to enact in lieu thereof one new section relating to tax increment financing.

Was taken up.

Senator Dempsey moved that **SCS** for **HB 1504** be adopted.

Senator Dempsey offered **SS** for **SCS** for **HB 1504**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1504

An Act to repeal section 99.845, RSMo, and to enact in lieu thereof one new section relating to tax increment financing.

Senator Dempsey moved that **SS** for **SCS** for **HB 1504** be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Dempsey, **SS** for **SCS** for **HB 1504** was read the 3rd time and passed by the following vote:



## YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Chappelle-Nadal—1

## Absent—Senators

Justus Sater—2

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Dempsey, title to the bill was agreed to.

Senator Dempsey moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 1866**, introduced by Representative Schatz, et al, with **SCS**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

Was called up from the Informal Calendar and taken up by Senator Kehoe.

**SCS** for **HB 1866**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1866

An Act to amend chapter 227, RSMo, by adding thereto thirteen new sections relating to the designation of memorial highways and bridges.

Was taken up.

Senator Kehoe moved that **SCS** for **HB 1866** be adopted, which motion prevailed.

On motion of Senator Kehoe, **SCS** for **HB 1866** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS for HB 1999**, entitled:

An Act to repeal section 301.640, RSMo, and to enact in lieu thereof one new section relating to the electronic transmission of motor vehicle lien documents.

Was called from the Informal Calendar and taken up by Senator Cunningham.

On motion of Senator Cunningham, **HCS for HB 1999** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS for HBs 1735 and 1618**, with **SCS**, entitled:

An Act to repeal section 578.120, RSMo, and to enact in lieu thereof one new section relating to the sale of motorcycles on Sunday, with a penalty provision.

Was called from the Informal Calendar and taken up by Senator Kraus.

**SCS for HCS for HBs 1735 and 1618**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NOS. 1735 and 1618

An Act to repeal section 578.120, RSMo, and to enact in lieu thereof one new section relating to the sales on Sunday, with a penalty provision.

Was taken up.

Senator Kraus moved that **SCS** for **HCS** for **HBs 1735** and **1618** be adopted.

Senator Kraus offered **SS** for **SCS** for **HCS** for **HBs 1735** and **1618**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NOS. 1735 and 1618

An Act to repeal sections 301.010, 301.700, and 578.120, RSMo, and to enact in lieu thereof three new sections relating to ownership of certain vehicles, with existing penalty provisions.

Senator Kraus moved that **SS** for **SCS** for **HCS** for **HBs 1735** and **1618** be adopted, which motion prevailed.

On motion of Senator Kraus, **SS** for **SCS** for **HCS** for **HBs 1735** and **1618** was read the 3rd time and passed by the following vote:

YEAS—Senators

Chappelle-Nadal	Curles	Dempsey	Dixon	Emery	Holsman	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Parson	Pearce	Richard	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senators

Brown	Cunningham	Nieves	Romine—4
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the conferees on **SCS** for **SB 612**, as amended, are Representatives: Hoskins, Miller and Dunn.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SS** for **SCS** for **HB 1490**, as amended. Representatives: Bahr, Diehl and Montecillo.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 1439**, as amended. Representatives: Funderburk, Hicks and Frame.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HJR 75**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 27(a) of article IV of the Constitution of Missouri, and adopting four new sections in lieu thereof relating to the commonsense obligation to provide accountability and spending stabilization act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Richard, the Senate recessed until 2:30 p.m.

### RECESS

The time of recess having expired, the Senate was called to order by Senator Dixon.

Senator Richard requested unanimous consent of the Senate to correct the report made by the Rules, Joint Rules, Resolutions and Ethics Committee on Tuesday, May 6, 2014 by submitting a corrected committee report on Senate Concurrent Resolution No. 41, which request was granted.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following corrected report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 41**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass, with Senate Committee Amendment No. 1.

### SENATE COMMITTEE AMENDMENT NO. 1

Amend Senate Concurrent Resolution No. 41, appearing on Page 708 of the Senate Journal for April 2, 2014, Line 7 of said journal page, by striking the word “designate” and inserting in lieu thereof the word “recognize”.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HB 1132**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 693**, entitled:

An Act to repeal sections 67.281, 99.845, 137.100, 143.451, and 144.030, RSMo, and to enact in lieu thereof ten new sections relating to taxation.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, House Amendment No. 1 to House Amendment No. 12, House Amendment No. 12, as amended, House Amendment Nos. 13, 14 and 15.

**HOUSE AMENDMENT NO. 1**

Amend House Committee Substitute for Senate Bill No. 693, Page 1, Section 67.281, Lines 11-12, by deleting all of said line and inserting in lieu thereof the following:

“two-family dwelling or townhouse. The provisions of this section shall expire on December 31, [2019] **2024.**”; and

Further amend said bill, Pages 14-15, Section 137.100, Lines 1-47, by deleting all of said section and lines from the bill; and

Further amend said bill, Page 14, 135.980, Lines 1-13, by deleting all of said lines and inserting in lieu thereof the following:

**“135.980. 1. As used in this section, the following terms shall mean:**

**(1) “NAICS”, the classification provided by the most recent edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget;**

**(2) “Public financial incentive”, any economic or financial incentive offered including:**

**(a) Any tax reduction, credit, forgiveness, abatement, subsidy, or other tax-relieving measure;**

**(b) Any tax increment financing or similar financial arrangement;**

**(c) Any monetary or non-monetary benefit related to any bond, loan, or similar financial arrangement;**

**(d) Any reduction, credit, forgiveness, abatement, subsidy, or other relief related to any bond, loan, or similar financial arrangement; and**

**(e) The ability to form, own, direct, or receive any economic or financial benefit from any special taxation district.**

**2. No city not within a county shall by ballot measure impose any restriction on any public financial incentive authorized by statute for a business with a NAICS code of 221112.**

**3. The provisions of this section shall expire on December 31, 2017.”; and**

Further amend said bill, Page 31, Section 144.030, Line 309, by deleting the word “**There**” and inserting in lieu thereof the following words, “**Effective July 1, 2015, there**”; and

Further amend said bill and said page, Section 407.1610, Line 6, by inserting after all of said line the following:

“578.120. 1. Notwithstanding any provision in this chapter to the contrary, no dealer, distributor or manufacturer licensed under section 301.559 may keep open, operate, or assist in keeping open or operating any established place of business for the purpose of buying, selling, bartering or exchanging, or offering for sale, barter or exchange, any motor vehicle, whether new or used, on Sunday. However, this section does not apply to the sale of manufactured housing; the sale of recreational motor vehicles; **the sale of motorcycles as defined in section 301.010; the sale of motortricycles, motorized bicycles, all-terrain vehicles, recreational off-highway vehicles, utility vehicles, personal watercraft, or other motorized vehicles customarily sold by powersport dealers licensed pursuant to section 301.550 et. seq.**; washing, towing, wrecking or repairing operations; the sale of petroleum products, tires, and repair parts and accessories; or new vehicle shows or displays participated in by five or more franchised dealers or in towns or cities with five or fewer dealers, a majority.

2. No association consisting of motor vehicle dealers, distributors or manufacturers licensed under section 301.559 shall be in violation of antitrust or restraint of trade statutes under chapter 416 or regulation promulgated thereunder solely because it encourages its members not to open or operate on Sunday a place of business for the purpose of buying, selling, bartering or exchanging any motor vehicle.

3. Any person who violates the provisions of this section shall be guilty of a class C misdemeanor.”; and

Further amend said bill, Page 31, Section 407.1610, Line 6, by inserting after all of said section and line the following:

“**Section 1. All courts that require mandatory e-filing must accept, file, and docket any filing filed by an attorney, including an entry of appearance, that was sent by fax or regular mail.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 693, Page 31, Section 144.1030, Line 11, by inserting immediately after said line the following:

“182.802. 1. (1) Any public library district located in any of the following counties may impose a tax as provided in this section:

(a) At least partially within any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;

(b) Any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants;

(c) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;

(d) Any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants;

(e) Any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants;

(f) Any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants;

(g) Any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat;

**(h) Any county of the fourth classification with more than twenty thousand but fewer than thirty thousand inhabitants.**

(2) Any public library district listed in subdivision (1) of this subsection may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of public libraries within the boundaries of such library district. The tax authorized by this subsection shall be in addition to all other taxes allowed by law. No tax under this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

2. In the event the district seeks to impose a sales tax under this subsection, the question shall be submitted in substantially the following form:

Shall a ..... cent sales tax be levied on all retail sales within the district for the purpose of providing funding for ..... library district?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax approved under this subsection.

3. As used in this section, “qualified voters” or “voters” means any individuals residing within the district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

4. For purposes of this section the term “public library district” shall mean any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 693, Page 14, Section 99.845, Line 294, by inserting immediately after said line the following:

“135.700. **1.** For all tax years beginning on or after January 1, 1999, a grape grower or wine producer shall be allowed a tax credit against the state tax liability incurred pursuant to chapter 143, exclusive of the provisions relating to the withholding of tax as provided in sections 143.191 to 143.265, in an amount equal to twenty-five percent of the purchase price of all new **and used** equipment and materials used directly in the growing of grapes or the production of wine in the state. Each grower or producer shall apply to the department of economic development and specify the total amount of such new equipment and materials purchased during the calendar year. The department of economic development shall certify to the department of revenue the amount of such tax credit to which a grape grower or wine producer is entitled pursuant to this section. The provisions of this section notwithstanding, a grower or producer may only apply for and receive the credit authorized by this section for five tax periods.

**2. For the taxable years beginning on or after August 28, 2014, the total amount of tax credits allowed under subsection 1 of this section shall not exceed two hundred thousand dollars annually.”;**  
and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 693, Page 31, Section 144.030, Line 313, by inserting immediately after said line the following:

“144.044. **1.** As used in this section, the following terms mean:

(1) “Sale of a modular unit”, a transfer of a modular unit as defined in section 700.010;

(2) “Sale of a new manufactured home”, a transfer of a manufactured home, as defined in section 700.010, which involves the delivery of the document known as the manufacturer’s statement of origin to a person other than a manufactured home dealer, as dealer is defined in section 700.010, for purposes of allowing such person to obtain a title to the manufactured home from the department of revenue of this state or the appropriate agency or officer of any other state;

**(3) “Sale of a used manufactured home”, any subsequent sale of a manufactured home as defined in section 700.010, which does not qualify as “new” as defined in subdivision (9) of section 700.010.**

**2.** In the event of the sale of a new manufactured home, forty percent of the purchase price, as defined in section 700.320, shall be considered the sale of a service and not the sale of tangible personal property. In addition to the exemptions granted under the provisions of section 144.030, the sale of services as defined in this section shall be specifically exempted from the provisions of sections 238.235 and 238.410, the local sales tax law as defined in section 32.085, sections 144.010 to 144.525 and 144.600 to [144.745] **144.761**, and from the computation of the tax levied, assessed or payable under sections 238.235 and 238.410, the local sales tax law as defined in section 32.085, sections 144.010 to 144.525 and 144.600 to [144.745] **144.761**, and section 238.235.

**3.** In the event of the sale of a new modular unit, forty percent of the retail sale of the unit or forty percent of the manufacturer’s sales price of the unit if the manufacturer makes a sale to a consumer that is not a retail sale, plus any carrier charge and freight charges shall be considered the sale of a service and



sixty percent shall be the retail sale of tangible personal property. In addition to the exemptions granted under the provisions of section 144.030, the sale of services as defined in this section shall be specifically exempted from the provisions of sections 238.235 and 238.410, the local sales tax law as defined in section 32.085, sections 144.010 to 144.525 and 144.600 to [144.745] **144.761**, and from the computation of the tax levied, assessed, or payable under sections 238.235 and 238.410, the local sales tax law as defined in section 32.085, sections 144.010 to 144.525 and 144.600 to [144.745] **144.761**, and section 238.235.

**4. In addition to the exemptions granted under the provisions of section 144.030, the sale of a used manufactured home as defined in this section shall be specifically exempted from the provisions of sections 238.235 and 238.410, the local sales tax law as defined in section 32.085, sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under sections 238.235 and 238.410, the local sales tax law as defined in section 32.085, sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 693, Page 15, Section 137.100, Line 47,

“143.041. **1.** A tax is hereby imposed for every taxable year on the income of every nonresident individual which is derived from sources within this state. The tax shall be that amount which bears the same ratio to the tax applicable to the individual if he would have been a resident as (A) his Missouri nonresident adjusted gross income as determined under section 143.181 (Missouri adjusted gross income derived from sources within this state) bears to (B) his Missouri adjusted gross income derived from all sources.

**2. The provisions of this section shall not apply to out-of-state businesses or out-of-state employees operating under sections 190.270 to 190.285.**

143.071. **1.** For all tax years beginning before September 1, 1993, a tax is hereby imposed upon the Missouri taxable income of corporations in an amount equal to five percent of Missouri taxable income.

**2.** For all tax years beginning on or after September 1, 1993, a tax is hereby imposed upon the Missouri taxable income of corporations in an amount equal to six and one-fourth percent of Missouri taxable income.

**3. The provisions of this section shall not apply to out-of-state businesses operating under sections 190.270 to 190.285.**

143.191. **1.** Every employer maintaining an office or transacting any business within this state and making payment of any wages taxable under sections 143.011 to 143.998 to a resident or nonresident individual shall deduct and withhold from such wages for each payroll period the amount provided in subsection 3 of this section.

**2.** The term “wages” referred to in subsection 1 of this section means wages as defined by section 3401(a) of the Internal Revenue Code of 1986, as amended. The term “employer” means any person, firm, corporation, association, fiduciary of any kind, or other type of organization for whom an individual performs service as an employee, except that if the person or organization for whom the individual performs service does not have control of the payment of compensation for such service, the term “employer” means the person having control of the payment of the compensation. The term includes the United States, this

state, other states, and all agencies, instrumentalities, and subdivisions of any of them.

3. The method of determining the amount to be withheld shall be prescribed by regulations of the director of revenue. The prescribed table, percentages, or other method shall result, so far as practicable, in withholding from the employee's wages during each calendar year an amount substantially equivalent to the tax reasonably estimated to be due from the employee under sections 143.011 to 143.998 with respect to the amount of such wages included in his Missouri adjusted gross income during the calendar year.

4. For purposes of this section an employee shall be entitled to the same number of personal and dependency withholding exemptions as the number of exemptions to which he is entitled for federal income tax withholding purposes. An employer may rely upon the number of federal withholding exemptions claimed by the employee, except where the employee provides the employer with a form claiming a different number of withholding exemptions in this state.

5. The director of revenue may enter into agreements with the tax departments of other states (which require income tax to be withheld from the payment of wages) so as to govern the amounts to be withheld from the wages of residents of such states under this section. Such agreements may provide for recognition of anticipated tax credits in determining the amounts to be withheld and, under regulations prescribed by the director of revenue, may relieve employers in this state from withholding income tax on wages paid to nonresident employees. The agreements authorized by this subsection are subject to the condition that the tax department of such other states grant similar treatment to residents of this state.

6. The director of revenue shall enter into agreements with the Secretary of the Treasury of the United States or with the appropriate secretaries of the respective branches of the Armed Forces of the United States for the withholding, as required by subsections 1 and 2 of this section, of income taxes due the state of Missouri on wages or other payments for service in the armed services of the United States or on payments received as retirement or retainer pay of any member or former member of the Armed Forces entitled to such pay.

7. Subject to appropriations for the purpose of implementing this section, the director of revenue shall comply with provisions of the laws of the United States as amended and the regulations promulgated thereto in order that all residents of this state receiving monthly retirement income as a civil service annuitant from the federal government taxable by this state may have withheld monthly from any such moneys, whether pension, annuities or otherwise, an amount for payment of state income taxes as required by state law, but such withholding shall not be less than twenty-five dollars per quarter.

**8. The provisions of this section shall not apply to out-of-state businesses operating under sections 190.270 to 190.285.”;and**

Further amend said bill, Page 31, Section 144.030, Line 313, by inserting after all of said section and line the following:

“144.610. 1. A tax is imposed for the privilege of storing, using or consuming within this state any article of tangible personal property, excluding motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of subsection 1 of section 144.020, purchased on or after the effective date of sections 144.600 to 144.745 in an amount equivalent to the percentage imposed on the sales price in the sales tax law in section 144.020. This tax does not apply with respect to the storage, use or consumption of any article of tangible personal property purchased, produced or manufactured outside this state until the transportation of the article has finally come to rest within this state or until the article has become commingled with the general mass of property of this state.

2. Every person storing, using or consuming in this state tangible personal property subject to the tax in subsection 1 of this section is liable for the tax imposed by this law, and the liability shall not be extinguished until the tax is paid to this state, but a receipt from a vendor authorized by the director of revenue under the rules and regulations that he prescribes to collect the tax, given to the purchaser in accordance with the provisions of section 144.650, relieves the purchaser from further liability for the tax to which receipt refers.

3. Because this section no longer imposes a Missouri use tax on the storage, use, or consumption of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors required to be titled under the laws of the state of Missouri, in that the state sales tax is now imposed on the titling of such property, the local sales tax, rather than the local use tax, applies.

**4. The provisions of this section shall not apply to out-of-state businesses or out-of-state employees operating under sections 190.270 to 190.285.**

Further amend said bill and said page, Section 144.1030, Line 11, by inserting immediately after said line the following:

**“190.270. Sections 190.270 to 190.285 shall be known and may be cited as the “Facilitating Business Rapid Response to State Declared Disasters Act”.**

**190.275. As used in sections 190.270 to 190.285, unless the context clearly indicates otherwise, the following terms mean:**

(1) **“Declared state disaster” or “emergency”, a disaster or emergency event for which a governor’s state of emergency proclamation has been issued or that the President of the United States has declared to be a major disaster or emergency;**

(2) **“Disaster period”, the period of time that begins ten days before the governor’s proclamation of a state of emergency or the declaration by the President of the United States of a major disaster or emergency, whichever occurs first, and extending for a period of sixty calendar days following the end of the period specified in the proclamation or declaration or sixty calendar days from the proclamation or declaration if no end is provided. The governor may extend the disaster period as warranted.**

(3) **“Infrastructure”, property and equipment owned or used by a public utility, communications network, broadband and internet service provider, cable and video service provider, gas distribution system, or water pipeline that provides service to more than one customer or person, including related support facilities. Infrastructure includes real and personal property such as buildings, offices, power lines, cable lines, poles, communication lines, pipes, structures, and equipment;**

(4) **“Out-of-state business”, a business entity:**

(a) **That does not have a presence in the state;**

(b) **That does not conduct business in the state;**

(c) **That has no registrations, tax filings, or nexus in the state before the declared disaster or emergency; and**

(d) **Whose assistance in repairing, renovating, installing, or building infrastructure related to a declared state disaster or emergency is requested by the state, a county, city, town, or other political**

subdivision of the state or a registered business that owns or uses infrastructure as defined in this section.

Out-of-state business includes a business entity that is affiliated with a registered business solely through common ownership as long as that business entity does not have any registrations, tax filings, or nexus in the state before the declared state disaster or emergency.

For purposes of this section, a prior registration as an out-of-state business for a declared disaster or emergency shall not be considered a registration in this state.

(5) “Out-of-state employee”, an individual who does not work in the state except for disaster or emergency related work during a disaster period;

(6) “Registered business”, a business entity that is registered or licensed to do business in the state before the declared state disaster or emergency.

**190.280. 1.** An out-of-state business that conducts operations within the state for purposes of assisting in repairing, renovating, installing, or building infrastructure related to a declared state disaster or emergency during the disaster period shall not be considered to have established a level of presence that would subject the business or any of its out-of-state employees to any of the following state or local employment, licensing, or registration requirements:

(1) Except as set forth in section 190.285, registration with the secretary of state;

(2) Withholding or income tax registration, filing, or remitting requirements; and

(3) Use tax on equipment used or consumed during the disaster period if such equipment does not remain in the state after the disaster period.

**2.** An out-of-state employee shall not be considered to have established residency or a presence in the state that would require that person or that person’s employer to file and pay income taxes, to be subjected to tax withholdings, or to file and pay any other state or local income or withholding tax or fee for work repairing, renovating, installing, or building infrastructure during the disaster period.

**3.** After the conclusion of a disaster period, an out-of-state business or out-of-state employee that remains in the state is fully subject to the state or local employment, licensing, or registration requirements listed in this section or that were otherwise suspended under sections 190.270 through 190.285 during the disaster period.

**190.285. 1.** An out-of-state business shall provide notification to the secretary of state within ten days after entry to the state during a disaster period that the out-of-state business is in the state for purposes of responding to the declared state disaster or emergency. The out-of-state business shall provide to the secretary of state information related to the out-of-state business including, but not limited to, the following:

(1) Name;

(2) State of domicile;

(3) Principal business address;

(4) Federal employer identification number;

(5) The date when the out-of-state business entered the state; and

**(6) Contact information while the out-of-state business is in this state.**

**2. A registered business shall provide the notification required in subsection 1 of this section for an affiliate of the registered business that enters the state as an out-of-state business. The notification under this subsection also must include contact information for the registered business in the state.**

**3. An out-of-state business that remains in the state after a disaster period shall notify the secretary of state within ten days after the end of the disaster period and shall meet all registration, licensing, and filing requirements resulting from any business presence or activity in the state.**

**4. The secretary of state shall provide information received from out-of-state businesses or registered businesses under this section to the department of revenue within thirty days after receipt of notification.**

**190.286. The provisions of sections 190.270 to 190.285 shall not grant exemptions authorized by the facilitating business rapid response to state declared disasters act to any out-of-state business performing work pursuant to a request for bid or request for proposal by a state agency or political subdivision.**

285.230. 1. As used in this section, “transient employer” means an employer as defined in sections 143.191, 287.030, and 288.032 making payment of wages taxable under chapters 143, 287, and 288 who is not domiciled in this state and who temporarily transacts any business within the state, but shall not include any employer who is not subject to Missouri income tax because of the provisions of 15 U.S.C. 381. The transaction of business shall be considered temporary at any time it cannot be reasonably expected to continue for a period of twenty-four consecutive months. Professional athletic teams and professional entertainers domiciled in a state other than Missouri shall be deemed a “transient employer” for the purposes of this section, unless the person or entity who pays compensation to the nonresident entertainer has fully complied with the provisions of section 143.183 in which case the nonresident entertainer shall not be considered a transient employer.

2. Employers meeting the following criteria shall not be required to file a financial assurance instrument as required by this section:

(1) The principal place of business of the employer must be in a county of another state which is contiguous to the state of Missouri; and

(2) The employer must have been under contract to perform work in Missouri for at least sixty days cumulatively out of twelve months during each of the two calendar years immediately preceding the employer’s initial application for exemption from the provisions of this section; and

(3) The employer must have in his possession a tax clearance from the department of revenue and the division of employment security stating that the employer has faithfully complied with the tax laws of this state during the period set out in subdivision (2) of this subsection.

Within ninety days of August 13, 1988, such employers must obtain initial tax clearances in accordance with subdivision (3) of this subsection. Any tax clearance issued under the provisions of this section by the division of employment security shall be submitted to the department of revenue. On or before January thirty-first of each year, except January thirty-first following the year during which the employer first meets these criteria, the employer shall submit application to the department of revenue and division of employment security for a renewed tax clearance. Failure to submit such renewal applications or failure to comply with applicable Missouri taxing and employment security laws during the period between annual

renewal dates or removal of the employer's principal place of business from a county in another state which is contiguous to Missouri to a state other than Missouri shall immediately subject the employer to all provisions of this section. An employer meeting the requirements of this subsection shall still be subject to the provisions of subsection 5 of this section.

3. Every transient employer shall file with the director of revenue a financial assurance instrument including, but not limited to, a cash bond, a surety bond, or an irrevocable letter of credit as defined in section 400.5-103 issued by any state or federal financial institution. The financial assurance instrument shall be in an amount not less than the average estimated quarterly withholding tax liability of the applicant, but in no case less than five thousand dollars nor more than twenty-five thousand dollars. Any corporate surety shall be licensed to do such business in this state and approved by the director of revenue to act as a surety. The transient employer shall be the principal obligor and the state of Missouri shall be the obligee. The financial assurance instrument shall be conditioned upon the prompt filing of true reports and the payment by such employer to the director of revenue of any and all withholding taxes which are now or which hereafter may be levied or imposed by the state of Missouri, upon the employer, together with any and all penalties and interest thereon, and generally upon the faithful compliance with the provisions of chapters 143, 287, and 288.

4. Any transient employer who is already otherwise required to file a financial assurance instrument as a condition of any contract, provided said financial assurance instrument guarantees payment of all applicable state taxes and all withholding taxes levied or imposed by the state and provided that such financial assurance instrument is delivered by certified mail to the department of revenue by the applicable awarding entity at least fourteen days before the execution of the contract for the performance of work, may use the same financial assurance instrument to comply with the provisions of this section. Before such financial assurance instrument is approved by the awarding entity, the director of revenue shall be satisfied that such financial assurance instrument is sufficient to cover all taxes imposed by this state and the director shall so notify the awarding entity of the decision within the fourteen days prior to the execution of the contract. Failure to do so by the director shall waive any right to disapprove such financial assurance instrument. Before a financial assurance instrument is released by the entity awarding the contract, a tax clearance shall be obtained from the director of revenue that such transient employer has faithfully complied with all the tax laws of this state.

5. Every transient employer shall certify to the director of revenue that such employer has sufficient workers' compensation insurance either through a self-insurance program or a policy of workers' compensation insurance issued by an approved workers' compensation carrier. The self-insurance program shall be approved by the division of workers' compensation pursuant to section 287.280. The insurance policy shall be in a contract form approved by the department of insurance, financial institutions and professional registration.

6. In the event that liability upon the financial assurance instrument thus filed by the transient employer shall be discharged or reduced, whether by judgment rendered, payment made or otherwise, or if in the opinion of the director of revenue any surety on a bond theretofore given or financial institution shall have become unsatisfactory or unacceptable, then the director of revenue may require the employer to file a new financial assurance instrument in the same form and amount. If such new financial assurance instrument shall be furnished by such employer as above provided, the director of revenue shall upon satisfaction of any liability that has accrued, release the surety on the old bond or financial institution issuing the irrevocable letter of credit.

7. Any surety on any bond or financial institution issuing an irrevocable letter of credit furnished by any transient employer as provided in this section shall be released and discharged from any and all liability to the state of Missouri accruing on such bond or irrevocable letter of credit after the expiration of sixty days from the date upon which such surety or financial institution shall have lodged with the director of revenue a written request to be released and discharged; but the request shall not operate to relieve, release or discharge such surety or financial institution from any liability already accrued or which shall accrue during and before the expiration of said sixty-day period. The director of revenue shall promptly on receipt of notice of such request notify the employer who furnished such bond or irrevocable letter of credit and such employer shall on or before the expiration of such sixty-day period file with the director of revenue a new financial assurance instrument satisfactory to the director of revenue in the amount and form provided in this section.

8. Notwithstanding the limitation as to the amount of any financial assurance instrument fixed by this section, if a transient employer becomes delinquent in the payment of any tax or tenders a check in payment of tax which check is returned unpaid because of insufficient funds, the director may demand an additional instrument of such employer in an amount necessary, in the judgment of the director, to protect the revenue of the state. The penal sum of the additional instrument and the instrument furnished under the provisions of the law requiring such instrument may not exceed two quarters' estimated tax liability.

9. For any period when a transient employer fails to meet the requirements of this section, there shall be added to any deficiency assessed against a transient employer, in addition to any other addition, interest, and penalties, an amount equal to twenty-five percent of the deficiency.

10. A taxpayer commits the crime of failure to file a financial assurance instrument if he knowingly fails to comply with the provisions of this section.

11. Failure to file a financial assurance instrument is a class A misdemeanor. Pursuant to section 560.021, a corporation found guilty of failing to file a financial assurance instrument may be fined up to five thousand dollars or any higher amount not exceeding twice the amount the employer profited from the commission of the offense.

12. Failing to register with the department of revenue and execute the financial assurance instrument herein provided, prior to beginning the performance of any contract, shall prohibit the employer from performing on such contract until he complies with such requirements.

13. Each employer shall keep full and accurate records clearly indicating the names, occupations, and crafts, if applicable, of every person employed by him together with an accurate record of the number of hours worked by each employee and the actual wages paid. The payroll records required to be so kept shall be open to inspection by any authorized representative of the department of revenue at any reasonable time and as often as may be necessary and such records shall not be destroyed or removed from the state for a period of one year following the completion of the contract in connection with which the records are made.

14. The entering into of any contract for the performance of work in the state of Missouri by any such employer shall be deemed to constitute an appointment of the secretary of state as registered agent of such employer for purposes of accepting service of any process, or of any notice or demand required or permitted by law. The service of any such process, notice or demand, when served on the secretary of state shall have the same legal force and validity as if served upon the employer personally within the state.

15. In addition, any employer who fails to file a financial assurance instrument as required by this section shall be prohibited from contracting for or performing labor on any public works project in this state

for a period of one year.

16. Whenever a transient employer ceases to engage in activity within the state it shall be the duty of such transient employer to notify the director of revenue in writing at least ten days prior to the time the discontinuance takes effect.

**17. The provisions of this section shall not apply to out-of-state businesses operating under sections 190.270 to 190.285.**

285.232. 1. Subject to the provisions of section 285.230, any county, city, town, village or any other political subdivision which requires a building permit for a person to perform certain construction projects shall require a transient employer to show proof that the employer has been issued a tax clearance and has filed a financial assurance instrument as required by section 285.230 before such entity issues a building permit to the transient employer. If any transient employer obtains a building permit without providing such proof, provides a fraudulently obtained tax clearance or a fraudulent financial assurance instrument or through any misrepresentation or any other fraudulent act or in any way violates the provisions of sections 285.230 to 285.234, the Missouri department of revenue shall request a temporary restraining order or seek injunctive relief to immediately prohibit further performance of work by the transient employer on such contract or project. The court may direct that any payments due such transient employer be equitably distributed in satisfaction of the transient employer's obligations pursuant to sections 285.230 to 285.234. Upon issuance of such order by a court of competent jurisdiction, the person for whom the work is being performed may engage another contractor as provided by law or any provision of contract and the person shall not be deemed to be in violation of the contract with such transient employer removed by the court. Nothing in this section shall be construed to create or constitute a liability to or a cause of action against a city or county in regard to the issuance of any license pursuant to this section.

2. Any contractor for private or public construction work in this state which contracts with or otherwise engages a subcontractor, which is deemed a transient employer as defined in section 285.230, to perform any portion of such work, shall require such subcontractor to show proof of having filed a financial assurance instrument with the director of revenue as required by section 285.230 and to show proof that the subcontractor holds a current valid certificate of insurance for workers' compensation coverage in this state, prior to the subcontractor performing any work on the project. If the subcontractor is self-insured for purposes of workers' compensation, the contractor shall require proof that such self-insurance by the subcontractor has been approved by the division of workers' compensation. The contractor shall not allow the subcontractor to perform on such contract until proof of compliance as required by this section has been provided to the contractor. If a subcontractor which is deemed to be a transient employer has previously submitted proof of compliance as required by this section to a state agency or political subdivision for which the contract is being performed as a condition of being qualified to perform work for such agency or political subdivision, the general contractor shall not be required to obtain the proofs required by this section. If at any time prior to final payment to a subcontractor for work performed on a project, a contractor is notified in writing by the director of revenue or the director of the division of workers' compensation that a subcontractor is in violation of sections 285.230 to 285.234, the contractor shall withhold all or part of any payment to the subcontractor under the contract for payment in satisfaction of the subcontractor's obligations as a transient employer if so directed by the director of revenue or the director of the division of workers' compensation. Any contractor withholding payment and paying such funds in satisfaction of the subcontractor's obligations as a transient employer if so directed by the director of revenue or the director of the division of workers' compensation. Any contractor withholding payment and paying such



funds in satisfaction of the subcontractor's obligations as a transient employer shall be deemed in compliance with the contract with the subcontractor to the extent of the amount paid to fulfill such obligation and with the laws of this state regarding timely payment under construction contracts and shall not be subject to any civil or criminal penalty for withholding such payment.

3. Notwithstanding the provision of section 32.057, the Missouri department of revenue shall at least quarterly submit for publication in the Missouri Register a list of construction contractors performing work on construction projects in Missouri who are known by the department to be deemed transient employers pursuant to section 285.230. The department shall also update such list monthly and make such list available upon request without cost to any person.

**4. The provisions of this section shall not apply to out-of-state businesses operating under sections 190.270 to 190.285.**

285.233. 1. Any transient employer, as defined in this chapter, failing to conclusively show at any time that he has complied with the provisions of section 285.230, relating to the filing of a financial assurance instrument, shall, before beginning performance on any contract made with a political subdivision, deposit with that political subdivision an amount equal to twenty percent of labor costs as specified in such contract which will be held in escrow by the political subdivision and payable only to the department of revenue, the division of employment security or the division of workers' compensation after the actual amount of tax liability is determined. In the event that labor costs are not separately stated in the contract, the amount to be held in escrow shall be ten percent of the contract amount. Any amount remaining in the escrow fund after payments are made shall be refunded to the contractor. Failure of a political subdivision to properly escrow funds required under this section will make it ineligible to receive state funds for public works projects for a period of one year from the date the infraction is discovered.

2. Any transient employer failing to conclusively show at any time that he has complied with the provisions of section 285.230, relating to the filing of a financial assurance instrument, shall, before beginning performance on any contract made with a private entity deposit with that private entity an amount equal to twenty percent of labor costs as specified in such contract which will be held in escrow by the private entity and payable only to the department of revenue, the division of employment security or the division of workers' compensation after the actual amount of tax liability is determined. In the event that labor costs are not separately stated in the contract, the amount to be held in escrow shall be ten percent of the contract amount. Any amount remaining in the escrow fund after payments are made shall be refunded to the contractor. Failure of a private entity to properly escrow funds required under this section shall make such entity liable for the full amount of the state withholding, workers' compensation, and employment security tax liability resulting from the transient employers' contract with that private entity.

3. In addition to any other penalty, interest, or remedy imposed by this section, any transient employer that fails to post a financial assurance instrument or escrow funds as provided for in this section shall be subject to a writ of attachment as provided for in chapter 521 or any other injunctive relief provided for by law.

**4. The provisions of this section shall not apply to out-of-state businesses or out-of-state employees operating under sections 190.270 to 190.285.**

285.234. 1. Every transient employer, as defined in section 285.230 shall post in a prominent and easily accessible place at the work site a clearly legible copy of the following:

- (1) The notice of registration for employer withholding issued to such transient employer by the director

of revenue;

(2) Proof of coverage for workers' compensation insurance or self-insurance signed by the transient employer and verified by the department of revenue through the records of the division of workers' compensation; and

(3) The notice of registration for unemployment insurance issued to such transient employer by the division of employment security.

2. Any transient employer failing to comply with the provisions of this section shall be liable for a penalty of five hundred dollars per day until the notices required by this section are posted as provided by this section.

**3. The provisions of this section shall not apply to out-of-state businesses operating under sections 190.270 to 190.285.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 693, Page 15, Section 137.100, Line 47, by inserting after all of said section and line the following:

**“137.133. In any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any correspondence by the assessor with a taxpayer requesting information from the taxpayer shall include the following statement in bold, fourteen point font: “Disclosure of information requested on this document is voluntary and not required by law. Any information disclosed may become public record.”. The provisions of this section shall not apply to requests for information required to be disclosed under sections 137.092 and 137.155.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 693, Page 14, Section 135.980, Line 13, by inserting after all of said section and line the following:

**“135.1785. 1. As used in this section, the following terms mean:**

**(1) “Baldrige award”, the Baldrige national quality award established under 15 U.S.C. 3711a;**

**(2) “Qualified business”, a sole proprietorship, firm, partnership, limited liability company, S corporation, or a corporation doing business in the state of Missouri that has received a Baldrige award and:**

**(a) Is privately held;**

**(b) Has operated in Missouri for at least five consecutive years as of the receipt of the Baldrige award;**

**(c) Is organized for-profit;**

**(d) Whose owners have been residents of Missouri for at least five years as of the receipt of the Baldrige award;**

**(e) Has fewer than five hundred employees as of the receipt of the Baldrige award; and**

**(f) Has not previously received a Baldrige award;**

**(3) “Tax deduction”, an amount subtracted from the taxpayer’s taxable income to determine Missouri taxable income for the tax year in which such deduction is claimed.**

**2. In addition to all deductions listed in chapter 143, for all tax years beginning on or after January 1, 2015, a qualified business shall be allowed a tax deduction against the qualified business’s taxable income in an amount equal to one million dollars.**

**3. Notwithstanding the provisions of section 23.253 to the contrary, this section shall terminate after ten qualified businesses have received a Baldrige award or December 31, 2025, whichever is earlier.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 693, Page 31, Section 144.1030, Line 11, by inserting immediately after said line the following:

“”321.015. 1. No person holding any lucrative office or employment under this state, or any political subdivision thereof as defined in section 70.120, shall hold the office of fire protection district director under this chapter. When any fire protection district director accepts any office or employment under this state or any political subdivision thereof, his office shall thereby be vacated and he shall thereafter perform no duty and receive no salary or expenses as fire protection district director.

2. This section shall not apply to:

- (1) Members of the organized militia, of the reserve corps, public school employees and notaries public;
- (2) Fire protection districts located wholly within counties of the second, third or fourth classification;
- (3) Fire protection districts in counties of the first classification with less than eighty-five thousand inhabitants;

(4) Fire protection districts located within counties of the first classification not adjoining any other county of the first classification;

(5) Fire protection districts located within any county of the first or second classification not having more than nine hundred thousand inhabitants which borders any three counties of the first classification;

(6) Fire protection districts located within any county of the first classification which adjoins both a county with a charter form of government with more than nine hundred fifty thousand inhabitants, and adjoins at least four other counties;

(7) Fire protection districts located within any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants.

3. For the purposes of this section, the term “lucrative office or employment” does not include **part-time employment as defined as less than thirty-five hours per week with a law enforcement agency or** receiving retirement benefits[, or compensation for expenses[, or a stipend or per diem, in an amount not to exceed seventy-five dollars for each day of service,] for service rendered to a fire protection district, the state or any political subdivision thereof.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 693, Page 6, Section 99.845, Line 26, by inserting immediately after the word “thereof.” the following:

**“If a political subdivision increases its rate of tax on property after the adoption of a redevelopment project, any additional revenues due to the levy increase shall not be considered payments in lieu of taxes subject to deposit into a special allocation fund.”; and**

Further amend said section, Page 8, Line 95, by inserting immediately at the end of said line the following:

**“If a political subdivision increases its sales tax or compensating use tax rate after the adoption of a redevelopment project, any additional revenues due to the rate increase shall not be considered economic activity taxes subject to deposit into a special allocation fund.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Bill No. 693, Page 15, Section 67.281, Line 17, by inserting after all of said line the following:

“72.401. 1. If a commission has been established pursuant to section 72.400 in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons

or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to 105.498 and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, and any voluntary annexation approved by municipal ordinance provided that the municipality owns the area to be annexed, that the area is contiguous with the municipality, and that the area is utilized only for parks and recreation purposes, shall not be subject to commission review. Such a boundary adjustment or annexation is not prohibited by the existence of an established unincorporated area.

**9. Any annexation of property or defined areas of properties approved by a majority of property**

**owners residing thereon and by ordinance of any municipality that is a service provider for both the water and sanitary sewer within the municipality shall be effective as provided in the annexation ordinance and shall not be subject to commission review. Such annexation shall not be prohibited by the existence of an established unincorporated area.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Bill No. 693, Page 4, Section 67.585, Line 78, by deleting the phrase “**two-thirds**”; and

Further amend said bill, said page, said section, Line 81, by deleting the phrase “**two-thirds**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO

HOUSE AMENDMENT NO. 12

Amend House Amendment No. 12 to House Committee Substitute for Senate Bill No. 693 Page 1, Line 1, by inserting after the word “age” the following:

“1, Section A, Line 2, by inserting immediately after said line the following:

**“32.092. 1. Recognizing that there are individuals who believe that they are undertaxed and that advocate a greater tax burden for Missourians, it is hereby the declared policy of this state to provide such individuals with the opportunity to contribute more of their income to state government, there is hereby created in the state treasury the “Tax-Me-More Voluntary Fund”. Any person who believes they are undertaxed may contribute any amount of money they so choose to the fund. The fund shall consist of money received from contributions, donations, gifts, bequests, grants, or other sources granted or given for this fund. The state treasurer shall administer the fund, and money in the fund shall be appropriated as the general assembly may determine for any lawful purpose that will accomplish the objectives of this section.**

**2. Notwithstanding section 33.080, RSMo, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.**

**3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.”; and**

Further amend said bill, page”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Bill No. 693, Page 31, Section 407.1610, Line 6, by inserting after all of said section and line the following:

**“447.534. 1. Notwithstanding the provisions of subsection 2 of section 447.532, section 447.533, and subsection 1 of section 447.545, United States savings bonds, which are unclaimed property and subject to the provisions of sections 447.500 to 447.595 shall be deemed abandoned when they have remained unclaimed for more than three years after their date of maturity and such bonds and the proceeds from such bonds, including all principal and interest due, in the possession of the treasurer or with an owner whose last known address is located in Missouri shall escheat to the state of Missouri**

three years after becoming unclaimed property by virtue of the provisions of sections 447.500 to 447.595 and all property rights and legal title to and ownership of such United States savings bonds and the proceeds from such bonds, including all rights, powers, and privileges of survivorship of any owner, co-owner, or beneficiary, shall vest solely in the state of Missouri according to the procedure set forth in subsections (1) through (3):

(1) After one hundred eighty days following the second three year period referenced in section 1, if no claim has been approved in accordance with the provisions of section 447.562 for such United States savings bonds or proceeds from such bonds, the treasurer shall commence a civil action in the circuit court of Cole county for a determination that such United States savings bonds and the proceeds from such bonds shall escheat to the state of Missouri. The treasurer may postpone the bringing of such action until sufficient United States savings bonds have accumulated in the treasurer's custody to justify the expense of such proceedings.

(2) If no person shall file a claim or appear at the hearing to substantiate a claim or where the court determines that a claimant is not entitled to the United States savings bonds or proceeds from such bonds claimed by such claimant, then the court, if satisfied by evidence that the treasurer has substantially complied with the laws of the state of Missouri, shall enter a judgment that the subject United States savings bonds and the proceeds from such bonds have escheated to the state of Missouri, and all property rights and legal title to and ownership of such United States savings bonds and the proceeds from such bonds, including all rights, powers, and privileges of survivorship of any owner, co-owner, or beneficiary, shall vest solely in the state of Missouri.

(3) The treasurer shall redeem such United States savings bonds escheated to the state of Missouri and the proceeds from such redemption of United States savings bonds shall be deposited in the abandoned fund account created by section 447.543.

2. Any person making a claim for the United States savings bonds escheated to the state of Missouri, or for the proceeds from such bonds, may file a claim in accordance with the provisions of section 447.562. Upon providing sufficient proof of the validity of such person's claim, the treasurer may pay such claim in accordance with the provisions of section 447.565.

3. No proceeds from any unclaimed property shall be subject to taxation by the state of Missouri upon escheatment of such property to the state of Missouri under this section.

447.560. 1. The treasurer shall retain a record of the name and last known address of each person appearing from the holders' reports to be entitled to the abandoned moneys and property and of the name and last known address of each insured person or annuitant, and with respect to each policy or contract listed in the report of a life insurance corporation, its number, the name of the corporation, and the amount due. The record shall be available for public inspection at all reasonable business hours.

2. Except as specifically provided by this section, no information furnished to the treasurer in the holder reports, including Social Security numbers or other identifying information, shall be open to public inspection or made public. Any officer, employee or agent of the treasurer who, in violation of the provisions of this section, divulges, discloses or permits the inspection of such information shall be guilty of a misdemeanor.

3. If an amount is turned over to the state that is less than fifty dollars, the amount reported may be made available as public information, along with the name and last known address of the person appearing from the holder report to be entitled to the abandoned moneys; except that, no additional information other than

provided for in this section may be released, and any individual other than the person appearing from the holder report to be entitled to the abandoned moneys shall be governed by sections 447.500 to 447.595 and other applicable Missouri law in his or her use or dissemination of such information.

4. If the abandoned property is a military medal, the treasurer is authorized to make any information, other than Social Security numbers, contained in the holder report and record under subsection 1 of this section, and any photograph or other visual depiction of the military medal available to the public in order to facilitate the identification of the original owner or such owner's respective heirs or beneficiaries as described under subdivision (4) of section 447.559.

**5. The treasurer shall retain a record of the name and, if known, the last known address of each person named on the United States savings bonds which have escheated to the state of Missouri and which have been redeemed by the treasurer under section 447.534. The record shall be made public and available for public inspection at all reasonable business hours. In addition, if a United States savings bond is redeemed in an amount that is less than fifty dollars, the amount redeemed may be made available as public information. No other information furnished to the treasurer in regard to such United States savings bonds, including Social Security numbers or other identifying information shall be open to public inspection or made public. Any officer, employee or agent of the treasurer who, in violation of the provisions of this section, divulges, discloses, or permits the inspection of such information shall be guilty of a misdemeanor.**

447.584. The treasurer, with the approval of the governor, may enter into agreements with any person, firm or corporation to assist in the identification, collection, and processing of abandoned **or escheated** property held by any business entity domiciled and located in another state **or any governmental entity**. The treasurer may agree to pay a fee for such services based in whole or in part on a percentage of the value of any property received pursuant to such agreements. Any expenses paid pursuant to this section may not be deducted from the amount subject to claim [by the owner] under sections 447.500 to 447.595.

Section B. Because of the need to protect the interests of the state, this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and this act shall be in full force and effect upon its passage and approval.”

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 13

Amend House Committee Substitute for Senate Bill No. 693, Page 1, Section A, Line 2, by inserting after all of said line and section the following:

**“32.383. 1. Notwithstanding the provisions of any other law to the contrary, with respect to taxes administered by the department of revenue under this chapter and chapters 143, 144, and 147, an amnesty from the assessment or payment of all penalties, additions to tax, and interest shall apply with respect to unpaid taxes or taxes due and owing reported and paid in full from July 1, 2014, to September 30, 2014, regardless of whether previously assessed, except for penalties, additions to tax, and interest paid before July 1, 2014. The amnesty shall apply only to tax liabilities due or due but unpaid on or before December 31, 2013, and shall not extend to any taxpayer who at the time of payment is a party to any criminal investigations or to any civil or criminal litigation that is pending in any court of the United States or this state for nonpayment, delinquency, or fraud in relation to any**



state tax imposed by this state.

2. Upon written application by the taxpayer, on forms prescribed by the director of revenue, and upon compliance with the provisions of this section, the department of revenue shall not seek to collect any penalty, addition to tax, or interest that may be applicable. The department of revenue shall not seek civil or criminal prosecution for any taxpayer for the taxable period for which the amnesty has been granted unless subsequent investigation or audit shows that the taxpayer engaged in fraudulent or criminal conduct in applying for amnesty.

3. Amnesty shall be granted only to those taxpayers who have applied for amnesty within the period stated in this section, who have filed a tax return for each taxable period for which amnesty is requested, who have paid the entire balance by September 30, 2014, and who agree to comply with state tax laws for the next eight years from the date of the agreement. No taxpayer shall be entitled to a waiver of any penalty, addition to tax, or interest under this section unless full payment of the tax due is made in accordance with rules established by the director of revenue.

4. All taxpayers granted amnesty under this section shall in good faith comply with this state's tax laws for the eight years following the date of the amnesty agreement. If any such taxpayer fails to comply with all of this state's tax laws at any time during the eight years following the date of the agreement, all penalties, additions to tax, and interest that were waived under the amnesty agreement shall become due and owing immediately.

5. If a taxpayer is granted amnesty under this section, such taxpayer shall not be eligible to participate in any future amnesty for the same tax.

6. If a taxpayer elects to participate in the amnesty program established in this section as evidenced by full payment of the tax due as established by the director of revenue, that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal. No tax payment received under this section shall be eligible for refund or credit.

7. Nothing in this section shall be interpreted to disallow the department of revenue to adjust a taxpayer's tax return as a result of any state or federal audit.

8. All tax payments received as a result of the amnesty program established in this section, other than revenues earmarked by the Constitution of Missouri or this state's statutes, shall be deposited in the state general revenue fund.

9. The department may promulgate rules or issue administrative guidelines as are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2014, shall be invalid and void.

10. This section shall become effective on July 1, 2014, and shall expire on December 31, 2022.

11. If any provision of this section or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this section which can be given effect

**without the invalid provision or application, and to this end the provisions of this section are severable.”; and**

Further amend said bill, Page 31, Section 407.1610, Line 6, by inserting after all of said section and line the following:

“Section B. Because immediate action is necessary to secure adequate state revenue, the enactment of section 32.383 is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and the enactment of section 32.383 is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 32.383 shall be in full force and effect on July 1, 2014, or upon its passage and approval, whichever occurs later.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 14

Amend House Committee Substitute for Senate Bill No. 693, Page 22, Section 143.451, Line 237, by inserting after said line the following:

“143.801. 1. A claim for credit or refund of an overpayment of any tax imposed by sections 143.011 to 143.996 shall be filed by the taxpayer within three years from the time the return was filed or two years from the time the tax was paid, whichever of such periods expires the later; or if no return was filed by the taxpayer, within two years from the time the tax was paid. No credit or refund shall be allowed or made after the expiration of the period of limitation prescribed in this subsection for the filing of a claim for credit or refund, unless a claim for credit or refund is filed by the taxpayer within such period.

2. If the claim is filed by the taxpayer during the three-year period prescribed in subsection 1 **of this section**, the amount of the credit or refund shall not exceed the portion of the tax paid within the three years immediately preceding the filing of the claim plus the period of any extension of time for filing the return. If the claim is not filed within such three-year period, but is filed within the two-year period, the amount of the credit or refund shall not exceed the portion of the tax paid during the two years immediately preceding the filing of the claim. If no claim is filed, the credit or refund shall not exceed the amount which would be allowable under either of the preceding sentences, as the case may be, if a claim was filed on the date the credit or refund is allowed.

3. If pursuant to subsection 6 of section 143.711 an agreement for an extension of the period for assessment of income taxes is made within the period prescribed in subsection 1 of this section for the filing of a claim for credit or refund, the period for filing a claim for credit or for making a credit or refund if no claim is filed, shall not expire prior to six months after the expiration of the period within which an assessment may be made pursuant to the agreement or any extension thereof. The amount of such credit or refund shall not exceed the portion of the tax paid after the execution of the agreement and before the filing of the claim or the making of the credit or refund, as the case may be, plus the portion of the tax paid within the period which would be applicable under subsection 1 of this section if a claim had been filed on the date the agreement was executed.

4. If a taxpayer is required by section 143.601 to report a change or correction in federal taxable income reported on his federal income tax return, or to report a change or correction which is treated in the same manner as if it were an overpayment for federal income tax purposes, an amended return or a claim for credit or refund of any resulting overpayment of tax shall be filed by the taxpayer within one year from the time the notice of such change or correction or such amended return was required to be filed with the

director of revenue. If the report or amended return required by section 143.601 is not filed within the ninety-day period therein specified, interest on any resulting refund or credit shall cease to accrue after such ninetieth day. The amount of such credit or refund shall not exceed the amount of the reduction in tax attributable to:

(1) The issues on which such federal change or correction or the items amended on the taxpayer's amended federal income tax return are based, and

(2) Any change in the amount of [his] **the taxpayer's** federal income tax deduction under the provisions of subsection 1 of section 143.171. No effect shall be given in the preceding sentence to any federal change or correction or to any item on an amended return unless it is timely under the applicable federal period of limitations. The time and amount provisions of this subsection shall be in lieu of any other provisions of this section. This subsection shall not affect the time within which or the amount for which a claim for credit or refund may be filed apart from this subsection.

5. If the claim for credit or refund relates to an overpayment of tax on account of the deductibility by the taxpayer of a debt as a debt which became worthless or a loss from worthlessness of a security or the effect that the deductibility of a debt or of a loss has on the application to the taxpayer of a carryover, the claim may be made, under regulations prescribed by the director of revenue within seven years from the date prescribed by law for filing the return for the year with respect to which the claim is made.

6. If the claim for credit or refund relates to an overpayment attributable to a net operating loss carryback or a capital loss carryback, in lieu of the three-year period of limitations prescribed in subsection 1 of this section, the period shall be that period which ends with the expiration of the fifteenth day of the fortieth month (or the thirty-ninth month, in the case of a corporation) following the end of the taxable year of the net operating loss or net capital loss which results in such carryback, or the period prescribed in subsection 3 of this section in respect of such taxable year, whichever expires later. In the case of such a claim, the amount of the credit or refund may exceed the portion of the tax paid within the period provided in subsections 2, 3 and 4 of this section, whichever is applicable, to the extent of the amount of the overpayment attributable to such carryback.

**7. (1) No period of limitations provided in subsections 1 to 6 of this section shall apply if the director of revenue audits or causes to have audited any return filed and retained as provided in section 143.971 and:**

**(a) Such examination is conducted after any period of limitations provided in subsections 1 to 6 of this section has expired;**

**(b) Such examination reveals that the taxpayer is eligible to claim a credit or refund of an overpayment of any tax imposed under this chapter; and**

**(c) A period of limitations provided in subsections 1 to 6 of this section prohibits the taxpayer from claiming such credit or refund.**

**(2) The director shall notify the taxpayer of any overpayment discovered under this subsection and inform the taxpayer of the procedure for filing a claim for a credit or refund of such overpayment. If the taxpayer files a claim for such credit or refund, the claim shall be filed in the manner provided in this chapter and shall be filed within one year from the time the director provided notice to the taxpayer.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 15

Amend House Committee Substitute for Senate Bill No. 693, Page 1, Section 67.281, Line 17, by inserting immediately after said line the following:

“67.451. Any city in which voters have approved fees to recover costs associated with enforcement of municipal housing, property maintenance, or nuisance ordinances may issue a special tax bill against the property where such ordinance violations existed. **Notwithstanding the provisions of section 479.011**, the officer in charge of finance shall cause the amount of unrecovered costs **or fines delinquent for more than a year** to be included in a special tax bill or added to the annual real estate tax bill for the property at the collecting official’s option, and the costs shall be collected by the city collector or other official collecting taxes in the same manner and procedure for collecting real estate taxes. If the cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by laws governing delinquent and back taxes. The tax bill shall be deemed a personal debt against the owner from the date of issuance, and shall also be a lien on the property until paid. Notwithstanding any provision of the city’s charter to the contrary, the city may provide, by ordinance, that the city may discharge the special tax bill upon a determination by the city that a public benefit will be gained by such discharge, and such discharge shall include any costs of tax collection, accrued interest, or attorney fees related to the special tax bill.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HCS** for **HB 1631**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 621**, entitled:

An Act to repeal sections 56.110, 56.807, 67.320, 408.040, 476.001, 476.320, 476.330, 476.340, 478.240, 478.610, 488.026, 488.305, 525.040, 525.070, 525.080, 525.230, 525.310, 550.040, 550.060, 632.480, 632.483, 632.484, and 650.120, RSMo, and to enact in lieu thereof twenty-six new sections relating to judicial procedures, with penalty provisions and an effective date for certain sections.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 621, Pages 1-3, Section 21.880, Lines 1-74, by deleting all of said section and lines and inserting in lieu thereof the following:

**“21.880. 1. There is hereby established a permanent joint committee of the general assembly, which shall be known as the “Joint Committee on the Justice System” and shall be composed of the following members:**

**(1) The chairs of the senate and house committees on the judiciary;**

**(2) The ranking minority members of the senate and house committees on the judiciary;**

**(3) Two members of the senate appointed by the president pro tempore of the senate, one of whom shall be a member of the senate committee on appropriations;**

**(4) The chair of the house committee with jurisdiction over matters relating to criminal laws, law enforcement, and public safety;**

**(5) The chair of the house committee with jurisdiction over matters relating to state correctional institutions;**

**(6) A member of the senate appointed by the minority floor leader of the senate;**

**(7) A member of the house of representatives appointed by the minority floor leader of the house of representatives;**

**(8) Three nonvoting ex officio members who shall be the chief justice of the Missouri supreme court, the state auditor, and the attorney general, or their designees.**

**2. No more than three members from each house shall be of the same political party.**

**3. The joint committee shall meet within thirty days after its creation and organize by selecting a chair and vice chair, one of whom shall be the senate judiciary chair and one of whom shall be the house judiciary chair. The positions of chair and vice chair shall alternate every two years thereafter between the senate and house. After its organization, the committee shall meet regularly, at least twice a year, at such time and place as the chair designates, including locations other than Jefferson City. A majority of the members of the committee shall constitute a quorum, but the concurrence of a majority of the members, other than the ex officio members, shall be required for the determination of any matter within the committee's duties.**

**4. In order to promote the effective administration of justice and public safety, it shall be the duty of the joint committee to:**

**(1) Review and monitor:**

**(a) The state's justice system;**

**(b) The state's criminal laws, law enforcement, and public safety;**

**(c) The state's correctional institutions and penal and correctional issues; and**

**(d) All state government efforts related to terrorism, bioterrorism, and homeland security;**

**(2) Receive reports from the judicial branch, state or local government agencies or departments, and any entities attached to them for administrative purposes;**

**(3) Conduct an ongoing study and analysis of the state's justice system and related issues;**

**(4) Determine the need for changes in statutory law, rules, policies, or procedures;**

**(5) Make any recommendations to the general assembly for legislative action; and**

**(6) Perform other duties authorized by concurrent resolution of the general assembly.**

**5. By January 15, 2016, and every year thereafter, it shall be the duty of the joint committee to file with the general assembly a report of its activities, along with any findings or recommendations the committee may have for legislative action.**

**6. The joint committee shall establish a permanent subcommittee on the Missouri criminal code, which shall conduct and supervise a continuing program of revision designed to maintain the cohesiveness, consistency, and effectiveness of the criminal laws of the state. In connection with this program, the committee may select an advisory committee on the Missouri criminal code, composed of a representative of the Missouri supreme court, a representative of the office of the attorney general, and other individuals known to be interested in the improvement of the state's criminal laws, and may authorize the payment of any actual and necessary expenses incurred by such members while attending meetings with the committee or the subcommittee on the Missouri criminal code. The subcommittee on the Missouri criminal code shall present to the general assembly in each tenth year such criminal code revision bills as it finds appropriate to accomplish its purpose.**

**7. The joint committee may make reasonable requests for staff assistance from the research and appropriations staffs of the senate and house and the joint committee on legislative research, and may employ such personnel as it deems necessary to carry out the duties imposed by this section, within the limits of any appropriation for such purpose. In the performance of its duties, the committee may request assistance or information from all branches of government and state departments, agencies, boards, commissions and offices.**

**8. The members of the committee shall serve without compensation, but any actual and necessary expenses incurred in the performance of the committee's official duties by the joint committee, its members, and any staff assigned to the committee shall be paid from the joint contingent fund.”; and**

Further amend said bill, Page 4, Section 56.110, Lines 5-6, by deleting all of said lines and inserting in lieu thereof the following:

**“attorney to prosecute or defend the cause. Such special prosecutor shall not otherwise represent a party other than the state of Missouri in any criminal case or proceeding”; and**

Further amend said bill, Page 6, Section 56.807, Line 74, by inserting after all of said section and line the following:

**“57.095. Notwithstanding section 537.600, sheriffs or any other law enforcement officers shall have immunity from any liability, civil or criminal, while conducting service of process at the direction of any court to the extent that the officers' actions do not violate clearly established statutory or constitutional rights of which a reasonable person would have known.”; and**

Further amend said bill, Page 11, Section 478.240, Line 27, by inserting after the word “trial” the following:

**“, or unless the defendant has indicated on the record that the defendant is permitting the same judge to hear both the preliminary hearing and the trial”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 621, Page 8, Section 408.040, Line 50, by inserting after all of said section and line the following:

**“447.534. 1. Notwithstanding the provisions of subsection 2 of section 447.532, section 447.533, and subsection 1 of section 447.545, United States savings bonds, which are unclaimed property and subject to the provisions of sections 447.500 to 447.595 shall be deemed abandoned when**

they have remained unclaimed for more than three years after their date of maturity and such bonds and the proceeds from such bonds, including all principal and interest due, in the possession of the treasurer or with an owner whose last known address is located in Missouri shall escheat to the state of Missouri three years after becoming unclaimed property by virtue of the provisions of sections 447.500 to 447.595 and all property rights and legal title to and ownership of such United States savings bonds and the proceeds from such bonds, including all rights, powers, and privileges of survivorship of any owner, co-owner, or beneficiary, shall vest solely in the state of Missouri according to the procedure set forth in subsections (1) through (3):

(1) After one hundred eighty days following the second three year period referenced in section 1, if no claim has been approved in accordance with the provisions of section 447.562 for such United States savings bonds or proceeds from such bonds, the treasurer shall commence a civil action in the circuit court of Cole county for a determination that such United States savings bonds and the proceeds from such bonds shall escheat to the state of Missouri. The treasurer may postpone the bringing of such action until sufficient United States savings bonds have accumulated in the treasurer's custody to justify the expense of such proceedings.

(2) If no person shall file a claim or appear at the hearing to substantiate a claim or where the court determines that a claimant is not entitled to the United States savings bonds or proceeds from such bonds claimed by such claimant, then the court, if satisfied by evidence that the treasurer has substantially complied with the laws of the state of Missouri, shall enter a judgment that the subject United States savings bonds and the proceeds from such bonds have escheated to the state of Missouri, and all property rights and legal title to and ownership of such United States savings bonds and the proceeds from such bonds, including all rights, powers, and privileges of survivorship of any owner, co-owner, or beneficiary, shall vest solely in the state of Missouri.

(3) The treasurer shall redeem such United States savings bonds escheated to the state of Missouri and the proceeds from such redemption of United States savings bonds shall be deposited in the abandoned fund account created by section 447.543.

2. Any person making a claim for the United States savings bonds escheated to the state of Missouri, or for the proceeds from such bonds, may file a claim in accordance with the provisions of section 447.562. Upon providing sufficient proof of the validity of such person's claim, the treasurer may pay such claim in accordance with the provisions of section 447.565.

447.560. 1. The treasurer shall retain a record of the name and last known address of each person appearing from the holders' reports to be entitled to the abandoned moneys and property and of the name and last known address of each insured person or annuitant, and with respect to each policy or contract listed in the report of a life insurance corporation, its number, the name of the corporation, and the amount due. The record shall be available for public inspection at all reasonable business hours.

2. Except as specifically provided by this section, no information furnished to the treasurer in the holder reports, including Social Security numbers or other identifying information, shall be open to public inspection or made public. Any officer, employee or agent of the treasurer who, in violation of the provisions of this section, divulges, discloses or permits the inspection of such information shall be guilty of a misdemeanor.

3. If an amount is turned over to the state that is less than fifty dollars, the amount reported may be made available as public information, along with the name and last known address of the person appearing from the holder report to be entitled to the abandoned moneys; except that, no additional information other than

provided for in this section may be released, and any individual other than the person appearing from the holder report to be entitled to the abandoned moneys shall be governed by sections 447.500 to 447.595 and other applicable Missouri law in his or her use or dissemination of such information.

4. If the abandoned property is a military medal, the treasurer is authorized to make any information, other than Social Security numbers, contained in the holder report and record under subsection 1 of this section, and any photograph or other visual depiction of the military medal available to the public in order to facilitate the identification of the original owner or such owner's respective heirs or beneficiaries as described under subdivision (4) of section 447.559.

**5. The treasurer shall retain a record of the name and, if known, the last known address of each person named on the United States savings bonds which have escheated to the state of Missouri and which have been redeemed by the treasurer under section 447.534. The record shall be made public and available for public inspection at all reasonable business hours. In addition, if a United States savings bond is redeemed in an amount that is less than fifty dollars, the amount redeemed may be made available as public information. No other information furnished to the treasurer in regard to such United States savings bonds, including Social Security numbers or other identifying information shall be open to public inspection or made public. Any officer, employee or agent of the treasurer who, in violation of the provisions of this section, divulges, discloses, or permits the inspection of such information shall be guilty of a misdemeanor.**

447.584. The treasurer, with the approval of the governor, may enter into agreements with any person, firm or corporation to assist in the identification, collection, and processing of abandoned **or escheated** property held by any business entity domiciled and located in another state **or any governmental entity**. The treasurer may agree to pay a fee for such services based in whole or in part on a percentage of the value of any property received pursuant to such agreements. Any expenses paid pursuant to this section may not be deducted from the amount subject to claim [by the owner] under sections 447.500 to 447.595.”; and

Further amend said bill, Section B, Line 2, by inserting after all of said section and line the following:

“Section C. Because of the need to protect the interests of the state, sections 447.534, 447.560, and 447.584 are deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 621, Page 8, Section 408.040, Line 50, by inserting after all of said section and line the following:

**“456.4-420. 1. If a trust instrument containing a no-contest clause is or has become irrevocable, an interested person may file a petition to the court for an interlocutory determination whether a particular motion, petition, or other claim for relief by the interested person would trigger application of the no-contest clause or would otherwise trigger a forfeiture that is enforceable under applicable law and public policy.**

**2. The petition described in subsection 1 of this section shall be verified under oath. The petition may be filed by an interested person either as a separate judicial proceeding, or brought with other claims for relief in a single judicial proceeding, all in the manner prescribed generally for such**



proceedings under this chapter. If a petition is joined with other claims for relief, the court shall enter its order or judgment on the petition before proceeding any further with any other claim for relief joined therein. In ruling on such a petition, the court shall consider the text of the clause, the context to the terms of the trust instrument as a whole, and in the context of the verified factual allegations in the petition. No evidence beyond the pleadings and the trust instrument shall be taken except as required to resolve an ambiguity in the no-contest clause.

3. An order or judgment determining a petition described in subsection 1 of this section shall have the effect set forth in subsections 4 and 5 of this section, and shall be subject to appeal as with other final judgments. If the order disposes of fewer than all claims for relief in a judicial proceeding, that order is subject to interlocutory appeal in accordance with the applicable rules for taking such an appeal. If an interlocutory appeal is taken, the court may stay the pending judicial proceeding until final disposition of said appeal on such terms and conditions as the court deems reasonable and proper under the circumstances. A final ruling on the applicability of a no-contest clause shall not preclude any later filing and adjudication of other claims related to the trust.

4. An order or judgment, in whole or in part, on a petition described in subsection 1 of this section shall result in the no-contest clause being enforceable to the extent of the court's ruling, and shall govern application of the no-contest clause to the extent that the interested person then proceeds forward with the claims described therein. In the event such an interlocutory order or judgment is vacated, reversed, or otherwise modified on appeal, no interested person shall be prejudiced by any reliance, through action, inaction or otherwise, on the order or judgment prior to final disposition of the appeal.

5. An order or judgment shall have effect only as to the specific trust terms and factual basis recited in the petition. If claims are later filed that are materially different than those upon which the order or judgment is based, then to the extent such new claims are raised, the party in whose favor the order or judgment was entered shall have no protection from enforcement of the no-contest clause otherwise afforded by the order and judgment entered under this section.

6. For purposes of this section, a "no-contest clause" shall mean a provision in a trust instrument purporting to rescind a donative transfer to, or a fiduciary appointment of, any person, or that otherwise effects a forfeiture of some or all of an interested person's beneficial interest in a trust estate as a result of some action taken by the beneficiary. This definition shall not be construed in any way as determining whether a no-contest clause is enforceable under applicable law and public policy in a particular factual situation. As used in this section, the term "no-contest clause" shall also mean an "in terrorem clause".

7. A no-contest clause is not enforceable against an interested person in, but not limited to, the following circumstances:

(1) Filing a motion, petition, or other claim for relief objecting to the jurisdiction or venue of the court over a proceeding concerning a trust, or over any person joined, or attempted to be joined, in such a proceeding;

(2) Filing a motion, petition, or other claim for relief concerning an accounting, report, or notice that has or should have been made by a trustee, provided the interested person otherwise has standing to do so under applicable law, including, but not limited to, section 456.6-603;

(3) Filing a motion, petition, or other claim for relief under chapter 475 concerning the

**appointment of a guardian or conservator for the settlor;**

**(4) Filing a motion, petition, or other claim for relief under chapter 404 concerning the settlor;**

**(5) Disclosure to any person of information concerning a trust instrument or that is relevant to a proceeding before the court concerning the trust instrument or property of the trust estate, unless such disclosure is otherwise prohibited by law;**

**(6) Filing a motion, pleading, or other claim for relief seeking approval of a nonjudicial settlement agreement concerning a trust instrument, as set forth in section 456.1-111;**

**(7) To the extent a petition under subsection 1 of this section is limited to the procedure and purpose described therein.**

**8. In any proceeding brought under this section, the court may award costs, expenses, and attorneys' fees to any party, as provided in section 456.10-1004.**

**474.395. 1. If a will contains a no-contest clause, an interested person may file a petition with the court for a determination whether a particular motion, petition, action, or other claim for relief by the interested person would trigger application of the no-contest clause or would otherwise trigger a forfeiture that is enforceable under applicable law and public policy, which application would be adjudicated in the manner prescribed in section 456.4-420, and subject to the provisions set forth therein.**

**2. For purposes of this section, a “no-contest clause” shall mean a provision in a will purporting to rescind a donative transfer to, or a fiduciary appointment of, any person who institutes a proceeding challenging the validity of all or part of the will, or that otherwise effects a forfeiture of some or all of an interested person’s beneficial interest in the estate as a result of some action taken by the beneficiary. This definition shall not be construed in any way as determining whether a no-contest clause is enforceable under applicable law and public policy in a particular factual situation. As used in this section, the term no-contest clause shall also mean an “in terrorem clause”;** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 621, Page 1, Section A, Line 7, by inserting after all of said section and line the following:

“3.010. [As soon as possible after the final adjournment of the seventieth general assembly and at least every ten years thereafter] **Only upon the adoption of a concurrent resolution by the general assembly**, the revised statutes of Missouri shall be printed, published and distributed in as many volumes as the committee on legislative research (herein called “the committee”) shall determine, and such publication shall be under the direction and supervision of the committee. The annotations **or supplements** may be printed separately **and without a concurrent resolution being adopted by the general assembly**. The cost of printing, binding and delivery of such publication shall be paid from funds appropriated from the general revenue for that purpose.

**3.066. 1.** When the Missouri supreme court or a federal court with competent jurisdiction makes a final ruling that a bill enacted by the Missouri general assembly or a Missouri state statute or any portion of a Missouri state statute contained in a bill enacted by the Missouri general assembly is unconstitutional on procedural grounds, the Missouri revisor of statutes shall:

(1) For a repealed statute or an amended statute contained in such bill, reprint the statute as it existed in the revised statutes of Missouri prior to the enactment of the bill that the court declared unconstitutional;

(2) For a new statute contained in such bill, remove the new statute from the revised statutes of Missouri, if necessary, and publish only a footnote calling attention to the ruling of the court explaining the reason for the removal of such statute from the revised statutes of Missouri.

**2. When a state or federal court with competent jurisdiction issues a permanent order enjoining a bill enacted by the Missouri general assembly or a Missouri state statute or any portion of a Missouri state statute contained in a bill enacted by the Missouri general assembly as unconstitutional on procedural grounds, the Missouri attorney general shall notify the Missouri revisor of statutes of any such order and the Missouri revisor of statutes shall publish a footnote to each affected section calling attention to the ruling of the court on any official website of the committee on legislative research. Such footnote shall remain until such time as a final ruling is made by the Missouri supreme court or a federal court with competent jurisdiction, and at such time, the Missouri revisor shall remove such footnote and, if necessary, shall update such website in like manner as provided in subsection 1 of this section.**

3.090. 1. The revisor of statutes shall supervise the printing and publication of all editions of the revised statutes of Missouri and all supplements and pocket parts thereto. [He] **The revisor** shall proofread and compare all copies of laws appearing in the revised statutes of Missouri and supplement or pocket parts thereto and supervise the correction thereof to ensure that all such copies are true and correct copies of the existing laws of this state according to the original rolls thereof with only such variations in the language thereof as are authorized by section 3.060.

2. When any volume of any edition of the revised statutes of Missouri, or any supplement or any edition of pocket parts thereto is printed and published the revisor of statutes shall certify that all laws printed therein have been examined and compared as required by this section and that the same are true and correct copies thereof as passed and remaining in the office of the secretary of state, and that the revised statutes, supplement or pocket part thereto, as thus published, and all laws as therein contained, are true copies of the existing laws of the state of Missouri, of a general nature. [He] **The revisor** shall deposit a copy of each volume of the revised statutes, supplement or pocket part, so certified, in the secretary's office, which shall be prima facie evidence of such statutes. The certificate shall be printed in each copy of the revised statutes, supplement or pocket part, and every copy so printed containing the certificate may be used in evidence without other or further proof of authentication.

**3. The revisor of statutes shall supervise the publication of the revised statutes on any official website of the committee on legislative research. Such supervision shall comply with the provisions of subsection 1 of this section to ensure that a true and correct copy of the existing laws of this state are placed on such website. However, the online version of the revised statutes on any official website of the committee on legislative research shall not be considered an official version of the revised statutes, unless the revisor of statutes chooses to certify it as such and places a certificate on the website. The revisor shall periodically update such website as new laws are enacted, including an update of the website on the effective date of any section that becomes law.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 621, Page 11, Section 478.240, Line 42, by

inserting after all of said section and line the following:

“478.320. 1. In counties having a population of thirty thousand or less, there shall be one associate circuit judge. In counties having a population of more than thirty thousand and less than one hundred thousand, there shall be two associate circuit judges. In counties having a population of one hundred thousand or more, there shall be three associate circuit judges and one additional associate circuit judge for each additional one hundred thousand inhabitants.

2. [When the office of state courts administrator indicates in an annual judicial weighted workload model for three consecutive years or more the need for four or more full-time judicial positions in any judicial circuit having a population of one hundred thousand or more, there shall be one additional associate circuit judge position in such circuit for every four full-time judicial positions needed as indicated in the weighted workload model. In a multicounty circuit, the additional associate circuit judge positions shall be apportioned among the counties in the circuit on the basis of population, starting with the most populous county, then the next most populous county, and so forth.

3.] For purposes of this section, notwithstanding the provisions of section 1.100, population of a county shall be determined on the basis of the last previous decennial census of the United States; and, beginning after certification of the year 2000 decennial census, on the basis of annual population estimates prepared by the United States Bureau of the Census, provided that the number of associate circuit judge positions in a county shall be adjusted only after population estimates for three consecutive years indicate population change in the county to a level provided by subsection 1 of this section.

[4.] 3. Except in circuits where associate circuit judges are selected under the provisions of Sections 25(a) to (g) of Article V of the constitution, the election of associate circuit judges shall in all respects be conducted as other elections and the returns made as for other officers.

[5.] 4. In counties not subject to Sections 25(a) to (g) of Article V of the constitution, associate circuit judges shall be elected by the county at large.

[6.] 5. No associate circuit judge shall practice law, or do a law business, nor shall he or she accept, during his or her term of office, any public appointment for which he or she receives compensation for his or her services.

[7.] 6. No person shall be elected as an associate circuit judge unless he or she has resided in the county for which he or she is to be elected at least one year prior to the date of his or her election; provided that, a person who is appointed by the governor to fill a vacancy may file for election and be elected notwithstanding the provisions of this subsection.

478.437. [The circuit court of the county of St. Louis, comprising circuit number twenty-one, shall be composed of nineteen divisions and nineteen judges] **1. Beginning in fiscal year 2015, there shall be twenty circuit judges in the twenty-first judicial circuit. These judges shall sit in twenty divisions, and each of the judges shall separately try causes, exercise the powers and perform all the duties imposed upon circuit judges.**

**2. Beginning in fiscal year 2015, there shall be one additional associate circuit judge position in the twenty-first judicial circuit. This associate circuit judgeship shall not be included in the statutory formula for authorizing additional judgeships per county under section 478.320.**

478.464. [1.] In the sixteenth judicial circuit, [associate circuit divisions shall hereafter be numbered beginning with the number 25:

- (1) Division 101 shall hereafter be division 25;
- (2) Division 102 shall hereafter be division 26;
- (3) Division 103 shall hereafter be division 27;
- (4) Division 104 shall hereafter be division 28;
- (5) Division 105 shall hereafter be division 29;
- (6) Division 106 shall hereafter be division 30;
- (7) Division 107 shall hereafter be division 31; and
- (8) Division 108 shall hereafter be division 32.

2. Twelve months after construction of two new courtrooms in Independence is completed, there shall be one additional associate circuit judge in the sixteenth judicial circuit, to be known as division 33. The presiding judge of such circuit shall certify to the state of administration office the actual date of completion of said construction.

**3.] there shall be ten associate circuit judges. These judges shall sit in ten divisions, which shall be numbered beginning with the number 25. Divisions 25, 26, 27, 29, and 31 shall sit in Kansas City and divisions 28, 30, 32, and 33 shall sit in Independence. Division 34 shall sit in the location determined by the court en banc. The tenth associate circuit judgeship shall not be included in the statutory formula for authorizing additional associate circuit judgeships per county under section 478.320.**

478.513. 1. There shall be five circuit judges in the thirty-first judicial circuit [consisting of the county of Greene]. These judges shall sit in divisions numbered one, two, three, four and five.

2. The circuit judge in division three shall be elected in 1980. The circuit judges in divisions one, four and five shall be elected in 1982. The circuit judge in division two shall be elected in 1984.

**3. Beginning in fiscal year 2015, there shall be one additional associate circuit judge in the thirty-first judicial circuit, and there shall continue to be the associate judge position authorized in fiscal year 2014. Neither associate circuit judgeship shall be included in the statutory formula for authorizing additional associate circuit judgeships per county under section 478.320.**

478.600. 1. There shall be four circuit judges in the eleventh judicial circuit [consisting of the county of St. Charles]. These judges shall sit in divisions numbered one, two, three and four. Beginning on January 1, 2007, there shall be six circuit judges in the eleventh judicial circuit and these judges shall sit in divisions numbered one, two, three, four, five, and seven. The division five associate circuit judge position and the division seven associate circuit judge position shall become circuit judge positions beginning January 1, 2007, and shall be numbered as divisions five and seven.

2. The circuit judge in division two shall be elected in 1980. The circuit judge in division four shall be elected in 1982. The circuit judge in division one shall be elected in 1984. The circuit judge in division three shall be elected in 1992. The circuit judges in divisions five and seven shall be elected for a six-year term in 2006.

3. Beginning January 1, 2007, the family court commissioner positions in the eleventh judicial circuit appointed under section 487.020 shall become associate circuit judge positions in all respects and shall be designated as divisions nine and ten respectively. These positions may retain the duties and responsibilities with regard to the family court. The associate circuit judges in divisions nine and ten shall be elected in 2006 for full four-year terms.

4. Beginning on January 1, 2007, the drug court commissioner position in the eleventh judicial circuit appointed under section 478.003 shall become an associate circuit judge position in all respects and shall be designated as division eleven. This position retains the duties and responsibilities with regard to the drug court. Such associate circuit judge shall be elected in 2006 for a full four-year term. This associate circuit judgeship shall not be included in the statutory formula for authorizing additional associate circuit judgeships per county under section 478.320.

**5. Beginning in fiscal year 2015, there shall be one additional associate circuit judge position in the eleventh judicial circuit. The associate circuit judge shall be elected in 2016, and such judicial position shall not be considered vacant or filled until January 1, 2017. This associate circuit judgeship shall not be included in the statutory formula for authorizing additional circuit judgeships per county under section 478.320.”; and**

Further amend said bill, Page 12, Section 478.610, Line 11, by inserting after all of said section and line the following:

**“478.740. 1. There shall be two circuit judges in the thirty-eighth judicial circuit. These judges shall sit in divisions numbered one and two.**

**2. The circuit judge in division two shall be elected in 2016, and such judicial position shall not be considered vacant or filled until January 1, 2017. The judge in division one shall be elected in 2018.”; and**

Further amend said bill, Page 23, Section B, Line 2, by inserting after all of said section and line the following:

**“Section C. Because of the necessity of constitutionally protected expedient access to the courts and ensuring the continued efficient administration of justice, sections 478.320, 478.437, 478.464, 478.513, 478.600, and 478.740 are deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution and this act shall be in full force and effect upon its passage and approval.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 621, Page 17, Section 542.375, Line 19, by deleting all of said line and inserting in lieu thereof the following:

**“a court of competent jurisdiction, or without an investigative subpoena issued by a court of competent jurisdiction, or without a court order for disclosure issued by any court that is a court of competent jurisdiction issued after a governmental entity offers specific and articulable facts showing that there are reasonable grounds to believe that the information sought is relevant and material to an ongoing criminal investigation.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 621, Page 17, Section 542.375, Line 30, by inserting immediately after said line the following:

**“566.088. 1. The provisions of this section shall be known as “Carrie’s Law”.**

**2. A person commits the crime of sexual exploitation by a person of higher authority if such person is or holds oneself out to be in any higher authority than the victim, whether such authority is related to a professional license, or is recognized or upheld as an authority figure within the scope of his or her relationship with a specific group or body of individuals or constituencies and engages in sexual conduct, as defined in section 566.010, with another person who is not the individual's spouse and the sexual conduct occurred:**

**(1) Following a documented pattern of efforts to seduce the victim over a period of time; and**

**(2) During the course of a meeting in which the victim sought or received instruction, counseling, advice, therapy, aid, or comfort from the person or within one hundred twenty days after such meeting has ended; or**

**(3) During a period of time in which the victim was meeting on an ongoing basis with the person of higher authority to seek or receive instruction, counseling, advice, therapy, aid, or comfort from the person; or**

**(4) While the person was in a position of trust or authority over the victim and used that position of trust or authority to engage in the sexual conduct.**

**3. Consent by the victim is not a defense under this section.**

**4. Sexual exploitation by a person of higher authority is a class B misdemeanor unless the person used the relationship to solicit or collect anything of monetary value from the victim or on behalf of the victim, or such monetary collection was solicited or required by the structure of the group or body of individuals bestowing such authority, in which case such sexual exploitation shall be a class A misdemeanor.” ; and**

Further amend the title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 621, Page 17, Section 542.375, Line 30, by inserting after all of said line the following:

**“566.157. 1. For purposes of this section, the following terms mean:**

**(1) “Instant messaging or chat room program”, a program that allows a form of real time text communication between two or more people via computers connected over a network such as the internet, or between cell phone or wireless communication device users, or over a cell phone or wireless communication device network;**

**(2) “Social networking website”, a website that allows users to create web pages or profiles about themselves that are available to the general public, or to any other users, and offers a mechanism for communication among users. Social networking website shall not include any of the following:**

**(a) A website that provides only one of the following services: photo-sharing, electronic mail, or instant messaging;**

**(b) A website, the primary purpose of which is the facilitation of commercial transactions involving goods or services between its members or visitors;**

**(c) A website, the primary purpose of which is the dissemination of news; or**

**(d) A website of a governmental entity.**

**2. A person commits the offense of unlawful internet communication with a minor if:**

**(1) Such person has been found guilty of:**

- (a) Any of the provisions of this chapter;**
- (b) Incest under section 568.020;**
- (c) Endangering the welfare of a child in the first degree under section 568.045;**
- (d) Use of a child in a sexual performance under section 568.080;**
- (e) Promoting a sexual performance by a child under section 568.090;**
- (f) Sexual exploitation of a minor under section 573.023;**
- (g) Promoting child pornography in the first degree under section 573.025;**
- (h) Promoting child pornography in the second degree under section 573.035;**
- (i) Possession of child pornography under section 573.037; or**
- (j) Furnishing pornographic material to minors under section 573.040; and**

**(2) Such person knowingly violates a condition of probation, parole, or supervised release that prohibits such person from using a social networking website or an instant messaging or chat room program to communicate, directly or through an intermediary, with a child less than sixteen years of age.**

**3. Unlawful internet communication with a minor is a class A misdemeanor unless the person has previously been found guilty of an offense under this section, in which case it is a class D felony.**

**4. It is a defense to prosecution under this section that the person reasonably believed that the child was at least sixteen years of age.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE AMENDMENT NO. 9**

Amend House Committee Substitute for Senate Bill No. 621, Page 1, In the Title, Line 5, by deleting the word, “judicial” and inserting in lieu thereof the words, “public employee”; and

Further amend said bill, Page 7, Section 67.320, Line 30, by inserting after all of said line the following:

**“86.207. 1. Except as provided in section 86.362,** all persons who become policemen and all policemen who enter or reenter the service of the city after the first day of October, 1957, become members as a condition of their employment and shall receive no pensions or retirement allowance from any other pension or retirement system supported wholly or in part by the city or the state of Missouri, nor shall they be required to make contributions under any other pension or retirement system of the city or the state of Missouri, anything to the contrary notwithstanding.

2. If any member ceases to be in service for more than one year unless the member has attained the age of fifty-five or has twenty years or more of creditable service, or if the member withdraws the member’s accumulated contributions or if the member receives benefits under the retirement system or dies, the member thereupon ceases to be a member; except in the case of a member who has served in the Armed Forces of the United States and has subsequently been reinstated as a policeman. A member who has terminated employment as a police officer, has actually retired and is receiving retirement benefits under



the system shall be considered a retired member.

3. A reserve officer shall not be considered a member of the system for the purpose of determining creditable service, nor shall any contributions be due. A reserve officer shall not be entitled to any benefits from the system other than those awarded when the reserve officer originally retired under section 86.250, nor shall service as a reserve officer prohibit distribution of those benefits.

**86.362. 1. Notwithstanding any provision of law to the contrary, employees of the employees retirement system of the city of St. Louis who are earning creditable service in the employees retirement system of the city of St. Louis and who are transferred to the St. Louis metropolitan police department as policemen shall elect within ninety days of the effective date of this section to either remain a member of the employees retirement system of the city of St. Louis or transfer membership and creditable service to the police retirement system of St. Louis. The election shall be made in writing after the employee has received a detailed analysis comparing retirement, life insurance, disability benefits, and medical benefits of a member of the employees retirement system of the city of St. Louis with the corresponding benefits provided a member of the police retirement system of St. Louis. The employees retirement system of the city of St. Louis and the police retirement system of St. Louis shall work together to provide the detailed analysis under this subsection, ensure that affected members receive such analysis, and design appropriate forms for plan membership election. In electing plan membership, the employee shall acknowledge and agree that an election made under this subsection is irrevocable and constitutes a waiver to receive retirement, life insurance, disability benefits, and medical benefits except as provided by the system elected by the employee. Furthermore, in connection with the election, the employee shall be required to acknowledge that the benefits provided by virtue of membership in either system, and any associated costs to the employee, may be different now or in the future as a result of the election and that the employee agrees to hold both systems harmless with regard to benefit differences resulting from the election.**

**2. The employees retirement system of the city of St. Louis shall pay to the police retirement system of St. Louis an amount actuarially determined to equal the liability at the time of the transfer for any employee who elects under subsection 1 of this section to transfer to the police retirement system of St. Louis, to the extent that liability is funded as of the most recent actuarial valuation and based on the actuarial value of assets not to exceed one hundred percent. Such transfer shall be made within sixty days of the employee's election.**

**3. In no event shall any employee receive service credit for the same period of service under more than one retirement system as a result of the provisions of this section.**

**4. The provisions of this section shall not be effective until a corresponding authorizing ordinance is passed by the board of aldermen with the city of St. Louis.**

95.540. 1. The following words and phrases as used in this section, unless a different meaning is plainly required by the context, shall mean:

(1) "Employee", any person regularly employed by any city, within the authorization of this section, who receives remuneration from the city for personal services rendered the city. The term "employee" shall not include any person:

(a) Who is included as an active member in any other pension plan similar in purpose by reason of his employment with the city, except the federal Social Security Old Age, Survivors, and Disability Insurance Program, as amended; or

- (b) Who acts for the city under contracts or is paid wholly on a fee basis; or
- (c) Who is a city officer or elected official of the city as defined in this section; or
- (d) Who is employed by the city as a “fireman” or “policeman”;

(2) “Officer”, any officer or elected official of the city who has been delegated some substantial part of the sovereign power to be independently exercised with some continuity and without control of a superior power other than the law;

**except that any employee earning creditable service in the pension plan adopted under subsection 2 of this section who is transferred to the St. Louis metropolitan police department as a policeman and elects to remain in the pension plan adopted under subsection 2 of this section as provided in section 86.362 shall be considered an employee in the plan for purposes of retirement, life insurance, disability benefits, and medical benefits.**

2. Any city of this state that now has or may hereafter have a population of more than four hundred and fifty thousand inhabitants is hereby authorized to provide by ordinance or otherwise for the pensioning of its employees and officers, in one or more plans, whether performing city or county functions, and the widows and minor children of deceased employees and officers and to appropriate and utilize its municipal revenues and other available funds for such purposes.

3. The employees and officers of any municipally owned public utility may be included within the provisions of any pension plan adopted in pursuance of subsection 2, but the cost of paying pensions to such employees and officers and the widows and minor children thereof, as well as its pro rata share of the expenses of administration and the operation of the pension system, as a whole, shall be borne by the funds or revenues of such municipally owned public utility.

4. The employees and officers of any administrative board or board of control organized and existing under the general laws of the state of Missouri for the purpose of furnishing library services or maintaining and operating an art museum or a zoological park or similar public service to the inhabitants of such city may be included within the provisions of any pension plan adopted in pursuance of subsection 2, but the cost of paying pensions to such employees and officers and widows and minor children thereof, as well as their pro rata share of the expenses of administration and the operation of the pension system, as a whole, shall be borne by the funds or revenues of such administrative board or board of control; provided, however, that the employees and officers of any such board or board of control shall not be included in any such pension plan unless the ordinance of such city providing for the inclusion of such employees and officers shall be accepted by resolution of such administrative board or board of control.”; and

Further amend said bill, Page 23, Section B, Line 2, by inserting after all of said line the following:

“Section B. Because of the need to maintain continuity of retirement benefits, the repeal and reenactment of sections 86.207 and 95.540 and the enactment of section 86.362 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 86.207 and 95.540 and the enactment of section 86.362 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

## HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Bill No. 621, Page 8, Section 408.040, Line 50, by inserting after all of said section and line the following:

“452.556. 1. The state courts administrator shall create a handbook or be responsible for the approval of a handbook outlining the following:

- (1) What is included in a parenting plan;
- (2) The benefits of the parties agreeing to a parenting plan which outlines education, custody and cooperation between parents;
- (3) The benefits of alternative dispute resolution;
- (4) The pro se family access motion for enforcement of custody or temporary physical custody;
- (5) The underlying assumptions for supreme court rules relating to child support; and
- (6) A party's duties and responsibilities pursuant to section 452.377, including the possible consequences of not complying with section 452.377. The handbooks shall be distributed to each court and shall be available in an alternative format, including Braille, large print, or electronic or audio format upon request by a person with a disability, as defined by the federal Americans with Disabilities Act.

2. Each court shall [mai] **provide** a copy of the handbook developed pursuant to subsection 1 of this section to each party in a dissolution or legal separation action filed pursuant to section 452.310, or any proceeding in modification thereof, where minor children are involved, or may provide the petitioner with a copy of the handbook at the time the petition is filed and direct that a copy of the handbook be served along with the petition and summons upon the respondent.

3. The court shall make the handbook available to interested state agencies and members of the public.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

## HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Bill No. 621, Page 13, Section 488.2206, Line 23, by inserting immediately after all of said line the following:

**“488.2245. 1. In addition to all other court costs for municipal ordinance violations, any home rule city with more than fifty-two thousand but fewer than sixty-four thousand inhabitants and located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants may provide for additional court costs in an amount up to ten dollars per case for each municipal ordinance violation case filed before a municipal division judge or associate circuit judge.**

**2. Such cost shall be collected by the clerk and disbursed to the city at least monthly. The city shall use such additional costs only for the land assemblage and purchase, construction, maintenance, and upkeep of a municipal courthouse. The costs collected may be pledged to directly or indirectly secure bonds for the cost of land assemblage and purchase, construction, maintenance, and upkeep of the courthouse.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SBs 493, 485, 495, 516, 534, 545, 595, 616** and **624**, as amended. Representatives: Stream, Cookson and Englund.

### **HOUSE BILLS ON THIRD READING**

**HB 1594**, introduced by Representative Davis, et al, with **SCS**, entitled:

An Act to repeal section 290.230, RSMo, and to enact in lieu thereof one new section relating to volunteer labor on public works projects.

Was called from the Informal Calendar and taken up by Senator Richard.

**SCS** for **HB 1594**, entitled:

### **SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1594**

An Act to repeal section 290.230, RSMo, and to enact in lieu thereof one new section relating to volunteer labor on public works projects.

Was taken up.

Senator Richard moved that **SCS** for **HB 1594** be adopted, which motion prevailed.

On motion of Senator Richard, **SCS** for **HB 1594** was read the 3rd time and passed by the following vote:

#### **YEAS—Senators**

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

#### **NAYS—Senators—None**

#### **Absent—Senators**

Curls                Schmitt—2

#### **Absent with leave—Senators—None**

#### **Vacancies—2**

The President declared the bill passed.

On motion of Senator Richard, title to the bill was agreed to.

Senator Richard moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HB 1184**, introduced by Representative Grisamore, entitled:

An Act to repeal section 431.056, RSMo, and to enact in lieu thereof one new section relating to foster children contracting for automobile insurance.

Was called from the Informal Calendar and taken up by Senator Justus.

Senator Justus offered **SS** for **HB 1184**, entitled:

SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 1184

An Act to repeal sections 37.710, 105.271, 210.027, 210.145, 210.152, 210.183, 334.950, and 431.056, RSMo, and to enact in lieu thereof eight new sections relating to children, with an existing penalty provision.

Senator Justus moved that **SS** for **HB 1184** be adopted, which motion prevailed.

On motion of Senator Justus, **SS** for **HB 1184** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Schmitt—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Justus, title to the bill was agreed to.

Senator Justus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 1085**, entitled:

An Act to repeal sections 182.815 and 182.817, RSMo, and to enact in lieu thereof two new sections relating to the disclosure of library records.

Was called from the Informal Calendar and taken up by Senator Romine.

On motion of Senator Romine, **HCS** for **HB 1085** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla

Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—31	

NAYS—Senators—None

Absent—Senator Walsh—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS for HJR 47**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment to article VIII of the Constitution of Missouri, and adopting one new section relating to elections.

Was called from the Informal Calendar and taken up by Senator Kraus.

Senator Nasheed offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Joint Resolution No. 47, Page 1, Section 10, Line 6, by inserting at the end of said line the following: “**Any such general law requirement to vote provided by the general assembly shall allow for valid student identification from any Missouri public higher education institution to satisfy the photo identification requirement.**”.

Senator Nasheed moved that the above amendment be adopted.

Senator Kehoe assumed the Chair.

Senator Nasheed offered **SA 1** to **SA 1**:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to House Committee Substitute for House Joint Resolution No. 47, Page 1, Line 5, by inserting after “public” the following: “**or private**”.

Senator Nasheed moved that the above amendment be adopted.

At the request of Senator Kraus, **HCS for HJR 47**, with **SA 1** and **SA 1 to SA 1** (pending), was placed on the Informal Calendar.

**HCS for HB 1303**, entitled:

An Act to amend chapter 160, RSMo, by adding thereto one new section relating religious liberties of students.

Was called from the Informal Calendar and taken up by Senator Silvey.

On motion of Senator Silvey, **HCS** for **HB 1303** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Curls—1

Absent—Senator Justus—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Silvey, title to the bill was agreed to.

Senator Silvey moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 1372**, introduced by Representative Cox, et al, entitled:

An Act to repeal sections 578.501, 578.502, and 578.503, RSMo, and to enact in lieu thereof one new section relating to protest activities at funeral services, with penalty provisions.

Was called from the Informal Calendar and taken up by Senator Kraus.

On motion of Senator Kraus, **HB 1372** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Silvey moved that motion lay on the table, which motion prevailed.

**HCS for HB 1882**, entitled:

An Act to repeal sections 21.557, 21.561, 21.562, 21.563, 21.564, 105.660, 105.664, 105.665, 105.666, 105.670, 105.683, and 105.684, RSMo, and to enact in lieu thereof twelve new sections relating to administrative requirements of public employee retirement plans.

Was called from the Informal Calendar and taken up by Senator Keaveny.

On motion of Senator Keaveny, **HCS for HB 1882** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS for HB 1410**, with **SCS**, entitled:

An Act to repeal sections 512.180, 534.060, 534.350, 534.360, 534.380, 535.030, 535.110, 535.160, 535.170, 535.200, and 535.210, RSMo, and to enact in lieu thereof eleven new sections relating to landlord tenant actions.

Was called from the Informal Calendar and taken up by Senator Schaefer.

**SCS for HCS for HB 1410**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1410

An Act to repeal sections 512.180, 534.060, 534.350, 534.360, 534.380, 535.030, 535.110, 535.160,



535.170, 535.200, and 535.210, RSMo, and to enact in lieu thereof eleven new sections relating to landlord tenant actions.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 1410** be adopted.

Senator Schaefer offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1410, Page 3, Section 534.380, Line 2, by striking the opening “[” and closing “]” brackets; and further amend lines 2-3, by striking the following: “by the Missouri Rules of Civil Procedure” and inserting in lieu thereof the following: “**as in other civil cases**”; and

Further amend said bill, page 4, section 535.110, line 2, by striking the opening “[” and closing “]” brackets; and further amend lines 2-3, by striking the following: “by the Missouri Rules of Civil Procedure” and inserting in lieu thereof the following: “**as in other civil cases**”.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Kraus offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1410, Page 1, Section A, Line 5, by inserting after all of said line the following:

“441.005. Except as otherwise provided, when used in chapter 534, chapter 535, or this chapter, the following terms mean:

(1) “**Landlord**”, the owner or lessor of the premises or a person authorized by the owner to exercise any aspect of the management of the premises;

(2) “**Lease**”, a written or oral agreement for the use or possession of premises;

[(2)] (3) “**Lessee**”, any person who leases premises from another[, and any person residing on the premises with the lessee’s permission] **to the exclusion of others during the rental or lease period and who is obligated to pay rent**;

[(3)] (4) “**Premises**”, land, tenements, condominium or cooperative units, air rights and all other types of real property leased under the terms of a rental agreement, including any facilities and appurtenances, to such premises, and any grounds, areas and facilities held out for the use of tenants generally or the use of which is promised to the tenant. “Premises” include structures, fixed or mobile, temporary or permanent, vessels, manufactured homes as defined in section 700.010, mobile trailer homes and vehicles which are used or intended for use primarily as a dwelling or as a place for commercial or industrial operations or storage;

[(4)] (5) “**Rent**”, a stated payment for the temporary possession or use of a house, land or other real property, made at fixed intervals by a tenant **or lessee** to a landlord;

(6) “**Tenant**”, a person who occupies the premises with the landlord’s consent.

441.500. As used in sections 441.500 to 441.643, the following terms mean:

(1) “**Abatement**”, the removal or correction, including demolition, of any condition at a property that violates the provisions of any duly enacted building or housing code, as well as the making of such other

improvements or corrections as are needed to effect the rehabilitation of the property or structure, including the closing or physical securing of the structure;

(2) “Agent”, a person authorized by an owner to act for him;

(3) “Code enforcement agency”, the official, agency, or board that has been delegated the responsibility for enforcing the housing code by the governing body;

(4) “Community”, any county or municipality;

(5) “County”, any county in the state;

(6) “Dwelling unit”, premises or part thereof occupied, used, or held out for use and occupancy as a place of abode for human beings, whether occupied or vacant;

(7) “Governing body”, the board, body or persons in which the powers of a community are vested;

(8) “Housing code”, a local building, fire, health, property maintenance, nuisance or other ordinance which contains standards regulating the condition or maintenance of residential buildings;

(9) “Local housing corporation”, a not-for-profit corporation organized pursuant to the laws of the state of Missouri for the purpose of promoting housing development and conservation within a specified area of a municipality or an unincorporated area;

(10) “Municipality”, any incorporated city, town, or village;

(11) “Neighborhood association”, any group of persons organized for the sole purpose of improvement of a particular geographic area having specific boundaries within a municipality, provided that such association is recognized by the municipality as the sole association for such purpose within such geographic area;

(12) “Notice of deficiency”, a notice or other order issued by the code enforcement agency and requiring the elimination or removal of deficiencies found to exist under the housing code;

(13) “Nuisance”, a violation of provisions of the housing code applying to the maintenance of the buildings or dwellings which the code official in the exercise of reasonable discretion believes constitutes a threat to the public health, safety or welfare;

(14) “Occupant”, any person **lawfully** occupying a dwelling unit as his or her place of residence, **either as a tenant or a lessee**, whether or not that person is occupying the dwelling unit as a tenant from month to month or under a written lease, undertaking or other agreement;

(15) “Owner”, the record owner or owners, and the beneficial owner or owners when other than the record owner, of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, personal representative, trustee, lessee, agent, or any other person in control of a dwelling unit;

(16) “Person”, any individual, corporation, association, partnership, or other entity.

441.760. 1. If the plaintiff has met its burden of proof for a complete eviction but the tenant successfully pleads an affirmative defense to the eviction pursuant to section 441.750, then the court shall not terminate the tenancy but shall order the immediate removal of any person who the court finds conducted the drug-related activity which was the subject of the eviction proceeding.

**2. If the plaintiff presents evidence that a person is not lawfully occupying a dwelling unit as either a tenant or a lessee, the court shall order the immediate removal of such person unlawfully occupying the dwelling unit.**

441.770. 1. If the grounds for an eviction have been established pursuant to subsection 1 of section 441.740, the court shall order that the tenant be evicted from the leased property. **Following the order, the tenant shall have twenty-four hours to vacate the premises and the landlord shall subsequently have a right to reenter and take possession of the premises.**

2. If the grounds for a removal have been established pursuant to subsection 2 of section 441.740, the court shall order that those persons found to be engaging in the criminal activity described therein be immediately removed and barred from the leased property, but the court shall not order the tenancy be terminated.

3. The court may order the expedited execution of an eviction or removal order by requiring the order's enforcement by the appropriate agency within a specified number of days after final judgment.

4. The court may stay execution of an eviction or removal order for a reasonable length of time if the moving party establishes by clear and convincing evidence that immediate removal or eviction would pose a serious danger to the party and that this danger outweighs the safety, health and well-being of the surrounding community and of the plaintiff.”; and

Further amend said bill, Page 8, Section 535.210, Line 58, by inserting after all of said line the following:

“569.130. 1. A person does not commit an offense by damaging, tampering with, operating, riding in or upon, or making connection with property of another if he **or she** does so under a claim of right and has reasonable grounds to believe he **or she** has such a right.

2. The defendant shall have the burden of injecting the issue of claim of right.

**3. No person who, as a tenant, willfully or wantonly destroys, defaces, damages, impairs, or removes any part of a leased structure or dwelling unit, or the facilities, equipment, or appurtenances thereof, may inject the issue of claim of right.”; and**

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Wasson offered **SA 3**:

#### SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1410, Page 1, Section A, Line 5, by inserting after all of said line the following:

“67.281. 1. A builder of one- or two-family dwellings or townhouses shall offer to any purchaser on or before the time of entering into the purchase contract the option, at the purchaser's cost, to install or equip fire sprinklers in the dwelling or townhouse. Notwithstanding any other provision of law to the contrary, no purchaser of such a one- or two-family dwelling or townhouse shall be denied the right to choose or decline to install a fire sprinkler system in such dwelling or townhouse being purchased by any code, ordinance, rule, regulation, order, or resolution by any county or other political subdivision. Any county or

other political subdivision shall provide in any such code, ordinance, rule, regulation, order, or resolution the mandatory option for purchasers to have the right to choose and the requirement that builders offer to purchasers the option to purchase fire sprinklers in connection with the purchase of any one- or two-family dwelling or townhouse. The provisions of this section shall expire on December 31, [2019] **2024**.

2. Any governing body of any political subdivision that adopts the 2009 International Residential Code for One- and Two-Family Dwellings or a subsequent edition of such code without mandated automatic fire sprinkler systems in Section R313 of such code shall retain the language in section R317 of the 2006 International Residential Code for two-family dwellings (R317.1) and townhouses (R317.2).”; and

Further amend the title and enacting clause accordingly.

Senator Wasson moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer moved that **SCS** for **HCS** for **HB 1410**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 1410**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### CONCURRENT RESOLUTIONS

Senator Pearce moved that **SCR 41**, with **SCA 1**, be taken up for adoption, which motion prevailed.

**SCA 1** was taken up.

Senator Pearce moved that the above committee amendment be adopted, which motion prevailed.

On motion of Senator Pearce, **SCR 41**, as amended, was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Sater moved that **SCR 43** be taken up for adoption, which motion prevailed.

On motion of Senator Sater, **SCR 43** was adopted by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Pearce assumed the Chair.

**PRIVILEGED MOTIONS**

Senator Libla moved that **SCS** for **SB 530**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SCS** for **SB 530**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 530

An Act to repeal section 211.447, RSMo, and to enact in lieu thereof one new section relating to termination of parental rights.

Was taken up.

Senator Libla moved that **HCS** for **SCS** for **SB 530**, as amended, be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard

Romine	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—24
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NAYS—Senators

Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton	Walsh—8
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Libla, **HCS** for **SCS** for **SB 530**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—24

NAYS—Senators

Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton	Walsh—8
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Libla, title to the bill was agreed to.

Senator Libla moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Kehoe moved that **SB 719**, with **HA 1** and **HA 2** be taken up for 3rd reading and final passage, which motion prevailed.

**HA 1** was taken up.

Senator Kehoe moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

**HA 2** was taken up.

Senator Kehoe moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Richard—1

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Kehoe, **SB 719**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Parson moved that the Senate refuse to concur in **HCS** for **SB 693**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Dixon moved that the Senate refuse to concur in **HCS** for **SB 621**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Brown moved that **SB 859**, with **HCS** be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SB 859**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 859

An Act to repeal sections 340.381 and 340.396, RSMo, and to enact in lieu thereof six new sections relating to agriculture.

Was taken up.

Senator Brown moved that **HCS** for **SB 859** be adopted.

At the request of Senator Brown, the motion to adopt **HCS** for **SB 859** was withdrawn, which placed the bill back on the Calendar.

Senator Parson moved that **SB 796**, with **HA 1** be taken up for 3rd reading and final passage, which motion prevailed.

**HA 1** was taken up.

Senator Parson moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—30		

NAYS—Senators—None

Absent—Senators

Justus                      Wasson—2

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Parson, **SB 796**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
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Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

**HB 2077**—Appropriations.

**HB 2063**—Jobs, Economic Development and Local Government.

President Pro Tem Dempsey assumed the Chair.

### REPORTS OF STANDING COMMITTEES

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2021**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

## **RESOLUTIONS**

Senator Dixon offered Senate Resolution No. 2036, regarding Travis Griessel, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 2037, regarding the One Hundred Twenty-fifth Anniversary of Central Christian Church, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 2038, regarding George Hunt, Springfield, which was adopted.

Senator Kehoe offered Senate Resolution No. 2039, regarding Marsha Lawson Dinkins, Tuscumbia, which was adopted.

## **INTRODUCTIONS OF GUESTS**

Senator Kehoe introduced to the Senate, teachers Dan Campbell, Jeff Pickering and students from Helias Catholic High School, Jefferson City.

Senator Pearce introduced to the Senate, teacher Jeanne Lair and students: Lexi Snyder, Madi Critten, Erin Gilliland, Megan Dominque, Sara Frampton, Lindy Saunders, Mady Koehly, Hannah Leamer, Margo Young, Claire Chapman, Kelly Westphal, Alan Kline, Trent Moore, Matt Shaffer and Wagner Chapman, Chillicothe R-II High School.

Senator Brown introduced to the Senate, Denise Sharp, Rolla; and Amber Mathenia and Cody Romine, St. James; and Cody was made an honorary page.

On motion of Senator Richard, the Senate adjourned under the rules.

## **SENATE CALENDAR**

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**SIXTY-FIFTH DAY—THURSDAY, MAY 8, 2014**

\_\_\_\_\_

## **FORMAL CALENDAR**

### **HOUSE BILLS ON SECOND READING**

HCS for HJR 75

### **THIRD READING OF SENATE BILLS**

SS for SCS for SB 666-Schmitt (In  
Fiscal Oversight)

SS for SB 538-Keaveny (In Fiscal Oversight)

SS for SCS for SB 850-Munzlinger (In  
Fiscal Oversight)

## SENATE BILLS FOR PERFECTION

- |                                  |                                  |
|----------------------------------|----------------------------------|
| 1. SB 858-Kraus                  | 7. SBs 798 & 514-Emery, with SCS |
| 2. SB 669-Schaaf                 | 8. SB 865-Nieves                 |
| 3. SB 821-Schaefer               | 9. SB 619-Nieves, with SCS       |
| 4. SB 823-Dixon, et al, with SCS | 10. SB 531-Nasheed               |
| 5. SB 973-Brown                  | 11. SB 820-Schaefer              |
| 6. SB 815-Pearce, with SCS       |                                  |

## HOUSE BILLS ON THIRD READING

- |   |  |
|---|--|
| 1. HB 1073-Dugger, et al (Kraus) (In Fiscal Oversight)                  | 6. HCS for HJR 90, with SCS (Kraus) (In Fiscal Oversight)        |
| 2. HCS for HBs 1861 & 1864, with SCS (Munzlinger) (In Fiscal Oversight) | 7. HCS for HB 1371, with SCS (Justus) (In Fiscal Oversight)      |
| 3. HCS for HB 1326, with SCS (Kehoe) (In Fiscal Oversight)              | 8. HB 1865-Redmon, et al, with SCS (Libla) (In Fiscal Oversight) |
| 4. HCS for HB 1336, with SCS (Wasson) (In Fiscal Oversight)             | 9. HCS for HB 1075 (Kehoe) (In Fiscal Oversight)                 |
| 5. HJR 48-Solon, et al (Wallingford) (In Fiscal Oversight)              | 10. HCS for HB 2021, with SCS (Schaefer)                         |

## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

- |   |  |
|---|--|
| SB 490-Lager and Kehoe, with SCS                      | SB 617-Parson, with SCS, SS for SCS & SA 1 (pending)               |
| SB 494-Pearce, with SS (pending)                      | SB 634-Parson, with SCS  |
| SB 501-Keaveny  | SB 641-Emery   |
| SB 518-Sater, with SCS, SA 2 & SA 1 to SA 2 (pending) | SB 644-LeVota  |
| SB 519-Sater, with SS & SA 1 (pending)                | SB 659-Wallingford, with SCS                                       |
| SS for SB 543-Munzlinger                              | SB 663-Munzlinger, with SCS  |
| SB 550-Sater, with SCS                                | SB 671-Sater   |
| SB 553-Emery, with SCS, SS for SCS & SA 1 (pending)   | SB 712-Walsh, with SCS & SS for SCS (pending)                      |
| SB 555-Nasheed, with SS & SA 1 (pending)              | SB 724-Parson  |
| SB 566-Sifton   | SB 739-Romine, with SCS, SS for SCS, SA 1 & SA 1 to SA 1 (pending) |
| SB 573-Munzlinger, with SCS                           | SB 755-Wallingford   |
| SB 578-Kraus  | SB 762-Schaefer, with SCS  |
| SB 589-Brown, with SCS, SA 2 & SA 1 to SA 2 (pending) | SB 769-Pearce, with SCS  |

SB 770-Wallingford, with SCS  
SBs 787 & 804-Justus, with SCS  
SB 790-Dixon  
SB 814-Brown  
SB 819-Wallingford, with SCS  
SB 830-Parson  
SBs 836 & 800-Munzlinger, with SCS  
SB 846-Richard  
SB 848-LeVota, with SCS  
SB 875-Sater, with SCS

SB 887-Schaefer  
SB 888-Parson, with SCS  
SB 912-Wasson and Justus, with SCS (pending)  
SB 919-Justus  
SB 966-Lager  
SJR 25-Lager, with SS, SA 2 & SA 1 to SA 2  
(pending)  
SJR 26-Lager, with SS & SA 1 (pending)  
SJR 34-Emery  
SJR 42-Schmitt, with SS (pending)

#### HOUSE BILLS ON THIRD READING

HCS for HB 1044, with SCS (Lamping)  
HB 1126-Dugger and Entlicher, with SCS &  
SA 6 (pending) (Kraus)  
HCS for HB 1156 (Pearce)  
HB 1173-Burlison, et al, with SA 1 & SA 1  
to SA 1 (pending) (Brown)  
HCS for HB 1189, with SCA 1 (Kehoe)  
HCS for HB 1192, with SCS (Brown)  
HCS for HB 1204, with SCS (Lager)  
HCS for HB 1261 (Kraus)  
HCS for HB 1295, with SCS (Kraus)  
HCS for HB 1296, with SCS (Kraus)  
HCS for HB 1302, with SCS (Lager)  
HCS for HBs 1307 & 1313, with SCS, SA 2  
& point of order (pending) (Sater)  
HB 1388-Cornejo, et al, with SCS (Schaefer)  
HB 1390-Thomson, et al, with SCS (Pearce)  
HB 1430-Jones (110), et al (Schaaf)  
HB 1455-Hoskins and Fraker (Kraus)

HB 1468-Dohrman, et al, with SCS (Pearce)  
HB 1495-Torpey and Hicks, with SCS &  
SS#2 for SCS (pending) (Dixon)  
HCS for HB 1501, with SS (pending) (Schmitt)  
HB 1506-Franklin, et al (Brown)  
HCS for HB 1514, with SCS (Parson)  
HCS for HB 1557 (Munzlinger)  
HB 1617-Rehder, et al, with SCS, SS#2  
for SCS, SA 1 & SA 2 to SA 1 (pending)  
(Brown)  
HB 1651-Fraker (Cunningham)  
HCS for HB 1685 (Schaaf)  
HCS for HB 1918 (Lager), with SA 1 (pending)  
HCS for HB 1937, with SCS (Munzlinger)  
HB 2028-Peters, et al (Schmitt)  
HCS for HJR 47, with SA 1 & SA 1 to SA 1  
(pending) (Kraus)  
HJR 72-Richardson, et al (Silvey)

#### CONSENT CALENDAR

House Bills

Reported 4/15

HCS for HB 1510 (Brown)

## SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 526-Cunningham, with HA 1, HA 2,  
HA 3, as amended, HA 4, as amended, HA 5  
& HA 6

SB 859-Brown, with HCS

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

## In Conference

SCS for SBs 493, 485, 495, 516, 534, 545, 595,  
616 & 624-Pearce, with HCS, as amended

SCS for SB 612-Schaaf, with HA 1, HA 2,  
HA 3, HA 4 & HA 5

SCS for SB 672-Parson, with HCS, as  
amended

SCS for SB 716-Brown, with HCS, as  
amended

HB 1361-Gosen and Wieland, with SS, as  
amended (Parson)

HCS for HB 1439, with SS for SCS, as  
amended (Nieves)

HB 1490-Bahr, et al, with SS for SCS, as  
amended (Emery)

HCS for HB 2002, with SCS, as amended  
(Schaefer)

HCS for HB 2003, with SCS, as amended  
(Schaefer)

HCS for HB 2004, with SCS (Schaefer)

HCS for HB 2005, with SCS (Schaefer)

HCS for HB 2006, with SCS (Schaefer)

HCS for HB 2007, with SCS (Schaefer)

HCS for HB 2008, with SCS, as amended  
(Schaefer)

HCS for HB 2009, with SCS, as amended  
(Schaefer)

HCS for HB 2010, with SCS (Schaefer)

HCS for HB 2011, with SS for SCS  
(Schaefer)

HCS for HB 2012, with SCS (Schaefer)

HCS for HB 2013, with SCS (Schaefer)

## Requests to Recede or Grant Conference

SB 614-Dixon, with HCS, as amended  
(Senate requests House recede or  
grant conference)

SB 621-Dixon, with HCS, as amended  
(Senate requests House recede or  
grant conference)

SB 662-Kraus, with HCS, as amended  
(Senate requests House recede or  
grant conference)

SB 693-Parson, with HCS, as amended  
(Senate requests House recede or  
grant conference)

# Journal of the Senate

SECOND REGULAR SESSION

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**SIXTY-FIFTH DAY—THURSDAY, MAY 8, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The Lord is in his holy temple; let all the earth keep silent before him.” (Habakkuk 2:20)

Awesome God, You sustain us when our spirit sags, our souls ache and our bodies grow weary. The tension and stress increases and we are in need of Your help. We pray be with us this day and weekend so our lives may be strengthened and our souls quieted before You. May we express our appreciation before You for all You have done and especially give thanks for those You have given us to love and care for. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from The Missouri Times were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator LeVota offered Senate Resolution No. 2040, regarding the Forty-fifth Anniversary of Comprehensive Mental Health Services, Independence, which was adopted.

Senator Dixon offered Senate Resolution No. 2041, regarding Gold Star Mothers of America, Missouri Department, which was adopted.

Senator Dixon offered Senate Resolution No. 2042, regarding Frances Turley, which was adopted.

Senator Wallingford offered Senate Resolution No. 2043, regarding Jean Zahner Welker, which was adopted.

**HOUSE BILLS ON THIRD READING**

**HCS** for **HB 2021**, with **SCS**, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions, from the funds herein designated for the fiscal period beginning July 1, 2014 and ending June 30, 2015.

Was taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 2021**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2021**

An Act to appropriate money for purposes for the several departments and offices of state government; for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions, from the funds herein designated for the fiscal period beginning July 1, 2014 and ending June 30, 2015.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2021** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 2021**, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lager	LeVota	Libla	Munzlinger	Nasheed
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senators

Kraus	Lamping	Nieves	Schmitt—4
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### **REPORTS OF STANDING COMMITTEES**

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS** for **HJR 90**, with **SCS**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

### **HOUSE BILLS ON THIRD READING**

**HCS** for **HJR 90**, with **SCS**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment to article VIII of the Constitution of Missouri, by adding thereto one new section relating to early voting.

Was taken up by Senator Kraus.

**SCS** for **HCS** for **HJR 90**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE JOINT RESOLUTION NO. 90**

Joint Resolution submitting to the qualified voters of Missouri an amendment to article VIII of the Constitution of Missouri, by adding thereto one new section relating to early voting.

Was taken up.

Senator Kraus moved that **SCS** for **HCS** for **HJR 90** be adopted.

At the request of Senator Kraus, **HCS** for **HJR 90**, with **SCS** (pending), was placed on the Informal Calendar.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **HB 1361**, as amended, and has taken up and passed **CCS** for **SS** for **HB 1361**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 614**, as amended, and grants the Senate a conference thereon.



Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 693**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 662**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 621**, as amended, and grants the Senate a conference thereon.

### **HOUSE BILLS ON THIRD READING**

**HB 1390**, introduced by Representative Thomson, et al, with **SCS**, entitled:

An Act to repeal sections 163.191, 173.1006, and 178.638, RSMo, and to enact in lieu thereof four new sections relating to allocation of core-funding increases in state funding for public institutions of higher education.

Was called from the Informal Calendar and taken up by Senator Pearce.

**SCS** for **HB 1390**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1390**

An Act to repeal sections 161.097, 163.191, 173.005, 173.030, 173.1006, 174.450, and 178.638, RSMo, and to enact in lieu thereof eight new sections relating to authorization for funding and administrative processes in higher education.

Was taken up.

Senator Nieves assumed the Chair.

Senator Pearce moved that **SCS** for **HB 1390** be adopted.

Senator LeVota offered **SA 1**:

#### **SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for House Bill No. 1390, Page 1, Section A, Line 4, by inserting after all of said line the following:

“160.545. 1. There is hereby established within the department of elementary and secondary education the “A+ Schools Program” to be administered by the commissioner of education. The program shall consist of grant awards made to public secondary schools that demonstrate a commitment to ensure that:

(1) All students be graduated from school;

(2) All students complete a selection of high school studies that is challenging and for which there are

identified learning expectations; and

(3) All students proceed from high school graduation to a college or postsecondary vocational or technical school or high-wage job with work place skill development opportunities.

2. The state board of education shall promulgate rules and regulations for the approval of grants made under the program to schools that:

(1) Establish measurable districtwide performance standards for the goals of the program outlined in subsection 1 of this section; and

(2) Specify the knowledge, skills and competencies, in measurable terms, that students must demonstrate to successfully complete any individual course offered by the school, and any course of studies which will qualify a student for graduation from the school; and

(3) Do not offer a general track of courses that, upon completion, can lead to a high school diploma; and

(4) Require rigorous coursework with standards of competency in basic academic subjects for students pursuing vocational and technical education as prescribed by rule and regulation of the state board of education; and

(5) Have a partnership plan developed in cooperation and with the advice of local business persons, labor leaders, parents, and representatives of college and postsecondary vocational and technical school representatives, with the plan then approved by the local board of education. The plan shall specify a mechanism to receive information on an annual basis from those who developed the plan in addition to senior citizens, community leaders, and teachers to update the plan in order to best meet the goals of the program as provided in subsection 1 of this section. Further, the plan shall detail the procedures used in the school to identify students that may drop out of school and the intervention services to be used to meet the needs of such students. The plan shall outline counseling and mentoring services provided to students who will enter the work force upon graduation from high school, address apprenticeship and intern programs, and shall contain procedures for the recruitment of volunteers from the community of the school to serve in schools receiving program grants.

3. A school district may participate in the program irrespective of its accreditation classification by the state board of education, provided it meets all other requirements.

4. By rule and regulation, the state board of education may determine a local school district variable fund match requirement in order for a school or schools in the district to receive a grant under the program. However, no school in any district shall receive a grant under the program unless the district designates a salaried employee to serve as the program coordinator, with the district assuming a minimum of one-half the cost of the salary and other benefits provided to the coordinator. Further, no school in any district shall receive a grant under the program unless the district makes available facilities and services for adult literacy training as specified by rule of the state board of education.

5. For any school that meets the requirements for the approval of the grants authorized by this section and specified in subsection 2 of this section for three successive school years, by August first following the third such school year, the commissioner of education shall present a plan to the superintendent of the school district in which such school is located for the waiver of rules and regulations to promote flexibility in the operations of the school and to enhance and encourage efficiency in the delivery of instructional services in the school. The provisions of other law to the contrary notwithstanding, the plan presented to

the superintendent shall provide a summary waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257 in the school. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a means for the waiver of requirements otherwise imposed on the school related to the authority of the state board of education to classify school districts pursuant to subdivision (9) of section 161.092 and such other rules and regulations as determined by the commissioner of education, except such waivers shall be confined to the school and not other schools in the school district unless such other schools meet the requirements of this subsection. However, any waiver provided to any school as outlined in this subsection shall be void on June thirtieth of any school year in which the school fails to meet the requirements for the approval of the grants authorized by this section as specified in subsection 2 of this section.

6. For any school year, grants authorized by subsections 1 [to 3], **2, and 4** of this section shall be funded with the amount appropriated for this program, less those funds necessary to reimburse eligible students pursuant to subsection 7 of this section.

7. The [commissioner] **department** of **higher** education shall, by rule [and regulation of the state board of education and with the advice of the coordinating board for higher education], establish a procedure for the reimbursement of the cost of tuition, books and fees to any public community college or vocational or technical school or within the limits established in subsection 9 of this section for any two-year private vocational or technical school for any student:

(1) Who has attended a public high school in the state for at least three years immediately prior to graduation that meets the requirements of subsection 2 of this section[.]; except that students who are active duty military dependents, and students who are dependants of retired military who relocate to Missouri within one year of the date of the parent's retirement from active duty, who, in the school year immediately preceding graduation, meet all other requirements of this subsection and are attending a school that meets the requirements of subsection 2 of this section shall be exempt from the three-year attendance requirement of this subdivision; and

(2) Who has made a good faith effort to first secure all available federal sources of funding that could be applied to the reimbursement described in this subsection; and

(3) Who has earned a minimal grade average while in high school as determined by rule of the [state board] **department** of **higher** education, and other requirements for the reimbursement authorized by this subsection as determined by rule and regulation of [said board] **the department**.

8. The commissioner of education shall develop a procedure for evaluating the effectiveness of the program described in this section. Such evaluation shall be conducted annually with the results of the evaluation provided to the governor, speaker of the house, and president pro tempore of the senate.

9. For a two-year private vocational or technical school to obtain reimbursements under subsection 7 of this section, the following requirements shall be satisfied:

(1) Such two-year private vocational or technical school shall be a member of the North Central Association and be accredited by the Higher Learning Commission as of July 1, 2008, and maintain such accreditation;

(2) Such two-year private vocational or technical school shall be designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended;

(3) No two-year private vocational or technical school shall receive tuition reimbursements in excess of the tuition rate charged by a public community college for course work offered by the private vocational or technical school within the service area of such college; and

(4) The reimbursements provided to any two-year private vocational or technical school shall not violate the provisions of article IX, section 8, or article I, section 7, of the Missouri Constitution or the first amendment of the United States Constitution.

**10. (1) The department of higher education shall, by administrative rule, establish a procedure for the reimbursement of the student's portion of fees for any dual credit courses completed. To be eligible for such reimbursements, a student shall meet the following criteria:**

**(a) Attend a public high school in the state for at least one year that meets the requirements of subsection 2 of this section;**

**(b) Have made a good faith effort to first secure all available federal sources of funding that could be applied to the reimbursement described in this subsection; and**

**(c) Earn a minimal grade point average while in high school as determined by rule of the department of higher education and other requirements for the reimbursement authorized by this subsection as determined by administrative rule of the department.**

**(2) Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.”; and**

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted, which motion prevailed.

Senator Brown offered **SA 2**:

**SENATE AMENDMENT NO. 2**

Amend Senate Committee Substitute for House Bill No. 1390, Page 24, Section 178.638, Line 18, by inserting after all of said line the following:

“340.396. 1. Sections 340.381 to 340.396 shall not be construed to require the department to enter into contracts with individuals who qualify for education loans or loan repayment programs when federal, state, and local funds are not available for such purposes.

2. Sections 340.381 to 340.396 shall not be subject to the provisions of sections 23.250 to 23.298.

[3. Sections 340.381 to 340.396 shall expire on June 30, 2013.]”; and

Further amend the title and enacting clause accordingly.

Senator Brown moved that the above amendment be adopted, which motion prevailed.

Senator Curls offered **SA 3**:

## SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Bill No. 1390, Page 19, Section 173.030, Line 165, by inserting after all of said line the following:

“173.670. 1. There is hereby established within the department of higher education the “Missouri Science, Technology, Engineering and Mathematics Initiative”. The department of higher education may award matching funds through this initiative to public institutions of higher education as part of the annual appropriations process.

2. The purpose of the initiative shall be to provide support to increase interest among elementary, secondary, and university students in fields of study related to science, technology, engineering, and mathematics and to increase the number of Missouri graduates in these fields at Missouri’s public two- and four-year institutions of higher education.

3. There is hereby created a “Science, Technology, Engineering and Mathematics Fund”, which shall consist of money collected under this section. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the administration of this section. Any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

**4. As part of the initiative, the department of higher education shall develop a process to award grants to Missouri public two- and four-year institutions of higher education and school districts that have entered into articulation agreements to offer information technology certification through technical course work leading to postsecondary academic credit through the program established in section 173.675.**

5. The general assembly may appropriate funds to the science, technology, engineering, and mathematics fund to match institution funds to support the following programs:

(1) Endowed teaching professor programs, which provide funds to support faculty who teach undergraduate courses in science, technology, engineering, or mathematics fields at public institutions of higher education;

(2) Scholarship programs, which provide financial aid or loan forgiveness awards to Missouri students who study in the science, technology, engineering, or mathematics fields or who plan to enter the teaching field in Missouri with an emphasis on science, technology, engineering, and mathematics areas;

(3) Experiential youth programs at public colleges or universities, designed to provide Missouri middle school, junior high, and high school students with the opportunity to experience science, technology, engineering, and mathematics fields through camps or other educational offerings;

(4) Career enhancement programs for current elementary and secondary teachers and professors at Missouri public and private colleges and universities in the science, technology, engineering, or mathematics fields to improve the quality of teaching.

**173.675. 1. The department of higher education shall develop a program to offer information technology certification through technical course work that leads to postsecondary academic credit. The program shall be available to students enrolled in a public high school in Missouri that has**

entered into an articulation agreement with a Missouri public two- or four-year institution of higher education to offer such course work. The program shall provide instruction on skills and competencies essential for the workplace and requested by employers and shall include the following components:

- (1) A web-enabled online curriculum;
- (2) Instructional software for classroom and student use;
- (3) Training for teachers to advance technical education skills;
- (4) Industry recognized skills certification; and
- (5) Integration with existing education standards.

2. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.

173.680. 1. The department of higher education shall conduct a study to identify the information technology industry certifications most frequently requested by employers in Missouri. The department of higher education may conduct the study with the assistance of other state departments and agencies, the Missouri mathematics and science coalition, and the governor's advisory council on science, technology, engineering, and mathematical issues.

2. The department of higher education shall complete the study no later than January 31, 2015. The department shall prepare the findings in a report and provide it to:

- (1) The president pro tempore of the senate;
- (2) The speaker of the house of representatives;
- (3) The joint committee on education;
- (4) The governor;
- (5) The coordinating board for higher education; and
- (6) The state board of education.”; and

Further amend the title and enacting clause accordingly.

Senator Curls moved that the above amendment be adopted, which motion prevailed.

Senator Pearce offered SA 4:

#### SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Bill No. 1390, Page 1, Section 161.097, Line 14, by striking the word “of” and inserting in lieu thereof the following: “**for**”; and

Further amend said bill and section, page 2, line 20, by inserting immediately after the word

“certification” the following: **“and any related competencies”**; and further amend line 23, by inserting immediately after the word “programs” the following: **“and any related competencies”**; and further amend line 26, by inserting immediately after the word “assessments” the following: **“and competencies”**; and further amend said line by inserting immediately after the word “future” the following: **“competencies and”**; and further amend line 29, by inserting after “manner.” the following: **“Qualifying scores on such assessments shall be established jointly by the state board of education and the coordinating board for higher education.”**; and further amend line 47, by striking the word “of” and inserting in lieu thereof the following: **“for”**; and further amend line 50, by inserting after “education.” the following: **“The length of term for each member shall be two years.”**; and

Further amend said bill and section, page 3, line 81, by striking the word “of” and inserting in lieu thereof the following: **“for”**; and further amend line 86, by striking the first use of the word “of” and inserting in lieu thereof the following: **“for”**; and further amend line 89, by striking the word “of” and inserting in lieu thereof the following: **“for”**; and

Further amend said bill and section, page 4, line 94, by striking the word “of” and inserting in lieu thereof the following: **“for”**; and further amend line 97, by inserting immediately after the word “preparation” the following: **“program”**; and further amend said line by striking the word “of” and inserting in lieu thereof the following: **“for”**; and further amend line 110, by inserting immediately after the word “Make” the following: **“public”**; and

Further amend said bill and section, page 5, line 131, by striking the word “on” and inserting in lieu thereof the following: **“in”**.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

Senator Pearce offered **SA 5**:

#### SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for House Bill No. 1390, Page 1, Section A, Line 4, by inserting after all of said line the following:

“160.254. 1. There is hereby established a joint committee of the general assembly, which shall be known as the “Joint Committee on Education”, which shall be composed of seven members of the senate and seven members of the house of representatives. The senate members of the committee shall be appointed by the president pro tem of the senate and the house members by the speaker of the house.

2. The committee shall meet at least twice a year. In the event of three consecutive absences on the part of any member, such member may be removed from the committee.

3. The committee shall select either a chairman or cochairmen, one of whom shall be a member of the senate and one a member of the house. A majority of the members shall constitute a quorum. Meetings of the committee may be called at such time and place as the chairman or chairmen designate.

4. The committee shall:

(1) Review and monitor the progress of education in the state’s public schools and institutions of higher education;

(2) Receive reports from the commissioner of education concerning the public schools and from the commissioner of higher education concerning institutions of higher education;

(3) Conduct a study and analysis of the public school system;

(4) Make recommendations to the general assembly for legislative action;

(5) Conduct an in-depth study concerning all issues relating to the equity and adequacy of the distribution of state school aid, teachers' salaries, funding for school buildings, and overall funding levels for schools and any other education funding-related issues the committee deems relevant;

(6) Monitor the establishment of performance measures as required by section 173.1006 and report on their establishment to the governor and the general assembly;

(7) Conduct studies and analysis regarding:

(a) The higher education system, including financing public higher education and the provision of financial aid for higher education; and

(b) The feasibility of including students enrolled in proprietary schools, as that term is defined in section 173.600, in all state-based financial aid programs;

(8) Annually review the collection of information under section 173.093 to facilitate a more accurate comparison of the actual costs at public and private higher education institutions;

(9) Within three years of August 28, 2007, review a new model for the funding of public higher education institutions upon submission of such model by the coordinating board for higher education;

(10) Within three years of August 28, 2007, review the impact of the higher education student funding act established in sections 173.1000 to 173.1006;

(11) Beginning August 28, 2008, upon review, approve or deny any expenditures made by the commissioner of education pursuant to section 160.530, as provided in subsection 5 of section 160.530.

5. [During the legislative interim between the first regular session of the ninety-fifth general assembly through January 29, 2010, of the second regular session of the ninety-fifth general assembly, the joint committee on education shall study the issue of open enrollment for public school students across school district boundary lines in this state. In studying this issue, the joint committee may solicit input and information necessary to fulfill its obligation, including but not limited to soliciting input and information from any state department, state agency, school district, political subdivisions of this state, teachers, and the general public. The joint committee shall prepare a final report, together with its recommendations for any legislative action deemed necessary for submission to the general assembly by December 31, 2009.] **By November 1, 2014, the committee shall conduct a study of the higher education academic scholarship program, the access Missouri financial assistance program, and the reimbursement portion of the A+ schools program. The study shall include, but not be limited to, eligibility requirements for each program, acceptance of aid by eligible students, and retention and graduation rates of recipients.**

6. The committee may make reasonable requests for staff assistance from the research and appropriations staffs of the house and senate and the committee on legislative research, as well as the department of elementary and secondary education, the department of higher education, the coordinating board for higher education, **public institutions of higher education**, the state tax commission, the department of economic development, all school districts and other political subdivisions of this state, teachers and teacher groups, business and other commercial interests and any other interested persons.

7. Members of the committee shall receive no compensation but may be reimbursed for reasonable and



necessary expenses associated with the performance of their official duties.”; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

Senator Kraus offered **SA 6**:

**SENATE AMENDMENT NO. 6**

Amend Senate Committee Substitute for House Bill No. 1390, Page 19, Section 173.030, Line 165, by inserting after all of said line the following:

“173.250. 1. There is hereby established a “Higher Education Academic Scholarship Program” and any moneys appropriated by the general assembly for this program shall be used to provide scholarships for Missouri citizens to attend a Missouri college or university of their choice pursuant to the provisions of this section.

2. The definitions of terms set forth in section 173.1102 shall be applicable to such terms as used in this section. In addition, the following definitions shall apply:

(1) “Academic scholarship”, an amount of money paid by the state of Missouri to a student pursuant to the provisions of this section;

(2) “ACT”, the American College Testing program examination;

(3) “Approved institution”, an approved public or approved private institution as defined in section 173.1102;

(4) “Eligible student”, an individual who meets the criteria set forth in section 173.1104, excluding the requirements of financial need and undergraduate status and, in addition, meets the following requirements:

(a) Has achieved a qualifying score on the ACT or SAT;

(b) Is a Missouri resident who has completed secondary coursework through graduation from high school or the virtual public school established in section 161.670, receipt of a general education development (GED) diploma, completion of a program of study through homeschooling or any other program of academic instruction that satisfies the compulsory attendance requirement under section 167.031; and

(c) Is enrolled full time or accepted for full-time enrollment as a postsecondary student at an approved institution during the academic year immediately following the completion of his or her secondary coursework;

(5) “Missouri test-takers”, all Missouri high school seniors who take the ACT or the SAT;

(6) “Qualifying score”, a composite score on the ACT or the SAT achieved in an eligible student’s high school sophomore, junior, or senior year that is in the top five percent of Missouri test-takers, as established at the beginning of an eligible student’s final year of secondary coursework;

(7) “Recipient”, an eligible or renewal student who receives an academic scholarship pursuant to this section;

(8) “Renewal student”, an eligible student who remains in compliance with the provisions of section 173.1104, maintains continuous enrollment, and makes satisfactory academic degree progress; and

(9) “SAT”, the Scholastic Aptitude Test.

3. The coordinating board for higher education shall be the administrative agency for the implementation of the program established by this section, and shall:

(1) Promulgate reasonable rules and regulations for the exercise of its functions and the effectuation of the purposes of this section, including regulations for granting scholarship deferments;

(2) Prescribe the form and the time and method of awarding academic scholarships, and shall supervise the processing thereof; and

(3) Select qualified recipients to receive academic scholarships, make such awards of academic scholarships to qualified recipients and determine the manner and method of payment to the recipient.

4. Eligible students shall be offered academic scholarships in the following amounts and in the following order of priority, within the limits of the funds appropriated and made available:

(1) Each eligible student with a qualifying score in the top three percent of all Missouri test-takers shall be offered an academic scholarship of up to three thousand dollars per year. All students in the top three percent shall receive awards of three thousand dollars before any student in the top fourth and fifth percentiles receives any award;

(2) Provided sufficient funds are appropriated, each eligible student with a qualifying score in the top fourth and fifth percentiles shall be offered an academic scholarship of up to one thousand dollars per year.

5. Eligible students may renew academic scholarships for their second, third, and fourth years of postsecondary education, or as long as the recipient is in compliance with the criteria to be a renewal student.

6. If an eligible student is unable to enroll during the first academic year or a renewal student ceases attendance at an approved institution for the purpose of providing service to a nonprofit organization, a state or federal government agency, or any branch of the Armed Forces of the United States, such student shall be offered an academic scholarship upon enrollment in any approved institution after the completion of their service, if the student meets all other requirements for an initial or renewal award and if the following criteria are met:

(1) For an eligible student who cannot attend an approved institution as a result of service to a nonprofit organization or the state or federal government, the student returns to full-time status within twenty-seven months and provides verification to the coordinating board for higher education that the service to the nonprofit organization was satisfactorily completed and was not compensated other than for expenses, or that the service to the state or federal government was satisfactorily completed; or

(2) For an eligible student who cannot attend an approved institution as a result of military service in the Armed Forces of the United States, the student returns to full-time status within six months after the eligible student first ceases service to the Armed Forces and provides verification to the coordinating board for higher education that the military service was satisfactorily completed.

7. A recipient of an academic scholarship awarded under this section may transfer from one approved institution to another without losing eligibility for the academic scholarship.

8. If a recipient of an academic scholarship at any time withdraws from an approved institution so that under the rules and regulations of that institution he or she is entitled to a refund of any tuition, fees or other

charges, the institution shall pay the portion of the refund attributable to the academic scholarship for that term to the coordinating board for higher education.

9. Other provisions of this section to the contrary notwithstanding, if an eligible student has been awarded an initial academic scholarship pursuant to the provisions of this section but is unable to attend an approved institution during the first academic year because of illness, disability, pregnancy or other medical need or if a renewal student ceases all attendance at an approved institution because of illness, disability, pregnancy or other medical need, the recipient shall be eligible for an initial or renewal academic scholarship upon enrollment in or return to any approved institution, provided the recipient:

(1) Enrolls in or returns to full-time status within twenty-seven months;

(2) Provides verification in compliance with coordinating board for higher education rules of sufficient medical evidence documenting an illness, disability, pregnancy or other medical need of such person to require that that person will not be able to use the academic scholarship during the time period for which it was originally offered; and

(3) Meets all other requirements established for eligibility to receive an academic scholarship.

**10. The coordinating board for higher education shall establish a procedure by administrative rule to allow students who meet the requirements of this subsection to receive funds to cover the student's portion of fees for any dual credit courses or dual enrollment courses completed while the student is in high school. The student shall meet the following requirements:**

**(1) Attend a public high school in the state;**

**(2) Achieve a qualifying score on the ACT or SAT;**

**(3) Be a Missouri resident; and**

**(4) Be a citizen or permanent resident of the United States.”; and**

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Pearce moved that **SCS** for **HB 1390**, as amended, be adopted, which motion prevailed.

Senator Pearce moved that **SCS** for **HB 1390**, as amended, be read the 3rd time and passed and was recognized to close.

President Pro Tem Dempsey referred **SCS** for **HB 1390**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

### **PRIVILEGED MOTIONS**

Senator Parson, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **HB 1361**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

### **CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR HOUSE BILL NO. 1361**

The Conference Committee appointed on Senate Substitute for House Bill No. 1361, with Senate

Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Bill No. 1361, as amended;
2. That the House recede from its position on House Bill No. 1361;
3. That the attached Conference Committee Substitute for Senate Substitute for House Bill No. 1361, be Third Read and Finally Passed.

## FOR THE HOUSE:

/s/ Don Gosen

/s/ Paul Wieland

/s/ Gina C. Mitten

## FOR THE SENATE:

/s/ Mike Parson

/s/ Wayne Wallingford

/s/ Brian Munzlinger

/s/ S. "KiKi" Curls

/s/ Gina Walsh

Senator Parson moved that the above conference committee report be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

## NAYS—Senators—None

## Absent—Senator Sater—1

## Absent with leave—Senators—None

## Vacancies—2

On motion of Senator Parson, **CCS** for **SS** for **HB 1361**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 1361

An Act to repeal sections 384.015, 384.017, 384.021, and 384.023, RSMo, and to enact in lieu thereof five new sections relating to domestic surplus lines insurers.

Was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Dempsey—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Parson, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 672**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 672

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, House Amendment No. 1 to House Amendment No. 17, and House Amendment No. 17, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 672;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Michael L. Parson

/s/ Bob Dixon

/s/ Gary Romine

/s/ Jolie L. Justus

/s/ Joseph P. Keaveny

FOR THE HOUSE:

/s/ Caleb Jones

/s/ Kevin A. Elmer

/s/ Jeremy LaFaver

Senator Parson moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Lager	LeVota	Libla	Munzlinger	Parson	Pearce

Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey
Wallingford	Walsh	Wasson—27					

NAYS—Senators

Emery	Kraus	Lamping	Nasheed	Nieves—5
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Parson, **CCS** for **HCS** for **SCS** for **SB 672**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 672

An Act to repeal sections 49.266, 56.067, 56.265, 56.363, 56.807, 56.816, 67.281, 67.320, 79.130, 94.270, 182.802, 192.310, 304.190, 321.322, 339.507, 348.407, 408.040, 488.305, 525.040, 525.070, 525.080, 525.230, and 525.310, RSMo, and to enact in lieu thereof thirty-three new sections relating to political subdivisions, with an existing penalty provision, and an effective date for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Lager	LeVota	Libla	Munzlinger	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey
Wallingford	Walsh	Wasson—27					

NAYS—Senators

Emery	Kraus	Lamping	Nasheed	Nieves—5
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2002**, as amended, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2002**.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 614**, as amended.

Representatives: Cox, Cornejo, and Kelly (45).

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 662**, as amended.

Representatives: Koenig, Curtman, and Carpenter.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 693**, as amended.

Representatives: Jones (50), Elmer, and LaFaver.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 621**, as amended.

Representatives: Cox, Cornejo, and Colona.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2003**, as amended, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2003**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2004** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2004**.

### **PRIVILEGED MOTIONS**

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2002**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

#### **CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2002**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for

House Bill No. 2002, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2002, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2002.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2002, be truly agreed to and finally passed.

## FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Ryan Silvey

/s/ Dan Brown

/s/ S. Kiki Curls

/s/ Gina Walsh

## FOR THE HOUSE:

/s/ Rick Stream

/s/ Thomas Flanigan

/s/ Mike Lair

/s/ Genise Montecillo

/s/ Jeanne Kirkton

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

## NAYS—Senator Lamping—1

## Absent—Senators—None

## Absent with leave—Senators—None

## Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2002**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2002

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that the Department of Elementary and Secondary Education shall employ no more than 811.30 full-time equivalent employees (FTE) from the General Revenue Fund.



Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Lamping—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2003**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2003

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2003, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2003, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2003.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2003, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Ryan Silvey  
/s/ Dan Brown  
/s/ S. Kiki Curls  
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream  
/s/ Thomas Flanigan  
/s/ Mike Lair  
/s/ Genise Montecillo  
/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Justus            Lamping—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2003**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2003

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds shall be expended at public institutions of higher education that knowingly offer a tuition rate to an unlawfully present covered student pursuant to 173.1110, RSMo, that is less than the tuition rate charged to citizens or nationals of the United States whose residence is not in Missouri, and further provided that the Department of Higher Education shall employ no more than 14.88 full-time equivalent employees (FTE) from the General Revenue Fund.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators

Justus            Lamping            LeVota—3

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Lager assumed the Chair.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2004** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2004

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2004, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2004.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2004.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2004, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Ryan Silvey

/s/ Dan Brown

/s/ S. Kiki Curls

Scott Sifton

FOR THE HOUSE:

/s/ Rick Stream

/s/ Thomas Flanigan

/s/ Lincoln Hough

Stephen Webber

Kevin McManus

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Lamping—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2004**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2004

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that the Department of Revenue shall employ no more than 939.04 full-time equivalent employees (FTE) from the General Revenue Fund, and further provided that no funds shall be used to pay the costs of conferences or meetings held by AAMVA, travel to attend such conferences or meetings, participation with boards, committees, or administration of AAMVA, or for the collection or retention of individual data by AAMVA that violates any state law.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Lamping      Nieves—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2005** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2005**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2006** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2006**.

**PRIVILEGED MOTIONS**

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2005** moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2005**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2005, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2005.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2005.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2005, be truly agreed to and finally passed.

**FOR THE SENATE:**

/s/ Kurt Schaefer  
/s/ Ryan Silvey  
/s/ Dan Brown  
/s/ S. Kiki Curls  
/s/ Gina Walsh

**FOR THE HOUSE:**

/s/ Rick Stream  
/s/ Thomas Flanigan  
/s/ Eric Burlison  
/s/ Chris Kelly  
/s/ Kevin McManus

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

**YEAS—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lager	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Kraus            Lamping—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2005**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2005

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General; and further provided that the Office of Administration shall employ no more than 649.79 full-time equivalent employees (FTE) from the General Revenue Fund.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lager	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Kraus            Lamping—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2006** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2006

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2006, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2006.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2006.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2006, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Ryan Silvey

/s/ Dan Brown

/s/ S. Kiki Curls

/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream

/s/ Thomas Flanigan

/s/ Craig Redmon

/s/ Jill Schupp

/s/ Jeanne Kirkton

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Lamping—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2006**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2006

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of

Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that the Department of Agriculture shall employ no more than 88.25 full time equivalent employees (F.T.E) from the General Revenue Fund, and further provided that the Department of Natural Resources shall employ no more than 134.84 full time equivalent employees (F.T.E) from the General Revenue Fund.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Lamping—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2007** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2007**.

### PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2007** moved that the following conference committee report be taken up, which motion prevailed.



CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2007

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2007, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2007.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2007.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2007, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Ryan Silvey  
/s/ Dan Brown  
/s/ S. Kiki Curls  
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream  
/s/ Thomas Flanigan  
/s/ Bart Korman  
/s/ Chris Kelly  
/s/ Gail McCann Beatty

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger	Nasheed
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Wallingford	Walsh	Wasson—28				

NAYS—Senators

Emery	Lamping	Nieves—3
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Absent—Senator Silvey—1

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2007**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2007

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of

Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that the Department of Economic Development shall employ no more than 69.69 full-time equivalent employees (FTE) from the General Revenue Fund, and further provided that the Department of Labor and Industrial Relations shall employ no more than 28.62 full-time equivalent employees (FTE) from the General Revenue Fund.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Wallingford	Walsh	Wasson—29			

NAYS—Senators

Lamping      Nieves—2

Absent—Senator Silvey—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2008**, as amended and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2008**.

### PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2008**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2008

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2008, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2008, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2008.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2008, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Ryan Silvey

/s/ Dan Brown

/s/ S. Kiki Curls

/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream

/s/ Thomas Flanigan

/s/ Marsha Haefner

/s/ John Rizzo

/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Lamping—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2008**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2008

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV,

Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that the Department of Public Safety shall employ no more than 483.93 full-time equivalent employees (FTE) from the General Revenue Fund.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Lamping—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 614**, as amended: Senators Dixon, Schmitt, Emery, Justus and Keaveny.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 621**, as amended: Senators Dixon, Schmitt, Schaefer, Justus and Keaveny.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 662**, as amended: Senators Kraus, Lager, Wallingford, Sifton and LeVota.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 693**, as amended: Senators Parson, Dixon, Romine, Keaveny and LeVota.

Senator Schaaf assumed the Chair.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2009**, as amended, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2009**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **SB 2010** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2010**.

### PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2009**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2009

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2009, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2009, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2009.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2009, be truly agreed to and finally passed.

#### FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Ryan Silvey  
/s/ Dan Brown  
/s/ S. Kiki Curls  
/s/ Gina Walsh

#### FOR THE HOUSE:

/s/ Rick Stream  
/s/ Thomas Flanigan  
/s/ Marsha Haefner  
/s/ John Rizzo  
/s/ Jeanne Kirkton

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

#### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

#### NAYS—Senator Lamping—1

#### Absent—Senators—None

#### Absent with leave—Senators—None

#### Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2009**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2009

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General; and further provided that the Department of Corrections shall employ no more than 10,848.87 full-time equivalent employees (FTE) from the General Revenue Fund.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Lamping—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2010** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2010

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2010, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2010.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2010.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010, be truly agreed to and finally passed.

## FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Ryan Silvey

/s/ Dan Brown

/s/ S. Kiki Curls

/s/ Gina Walsh

## FOR THE HOUSE:

/s/ Rick Stream

/s/ Thomas Flanigan

/s/ Sue Allen

Jeanne Kirkton

/s/ Jeremy LaFaver

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Keaveny	Kehoe
Lager	Libla	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard
Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—26						

## NAYS—Senators

Holsman	Justus	Kraus	Lamping	LeVota—5
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Absent—Senator Dempsey—1

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2010**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2010

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that the Department of Mental Health shall employ no more than 4,878.20 full-time equivalent employees (FTE) from the General Revenue Fund, and further provided that the Department of Health and Senior Services

shall employ no more than 656.56 full-time equivalent employees (FTE) from the General Revenue Fund.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Keaveny	Kehoe
Lager	Libla	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard
Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—26						

NAYS—Senators

Holsman	Justus	Kraus	Lamping	LeVota—5
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Absent—Senator Dempsey—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

### REPORTS OF STANDING COMMITTEES

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HB 2079**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HB 1454**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 1689**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was



referred **HB 1553**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 1539**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS for HB 1231**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS for HB 1831**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **HCS for HBs 1179 and 1765**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following reports:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **HB 1707**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **HB 2163**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HB 1693**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 9**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **HCR 13**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **HCR 25**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 29**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 30**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **HCR 38**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **HCR 45**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

### **MESSAGES FROM THE HOUSE**

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HB 2011** and has taken up and passed **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**.

### **PRIVILEGED MOTIONS**

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2011** moved that the following conference committee report be taken up, which motion prevailed.

#### **CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2011**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House

Committee Substitute for House Bill No. 2011, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2011.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, be truly agreed to and finally passed.

**FOR THE SENATE:**

/s/ Kurt Schaefer

/s/ Ryan Silvey

/s/ Dan Brown

/s/ S. Kiki Curls

/s/ Gina Walsh

**FOR THE HOUSE:**

/s/ Rick Stream

/s/ Thomas Flanigan

/s/ Sue Allen

Jeanne Kirkton

/s/ Jeremy LaFaver

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

**YEAS—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Keaveny	Kehoe
Lager	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—25

**NAYS—Senators**

Emery	Holsman	Justus	Kraus	Lamping	LeVota	Nasheed—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2011**

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor,

Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that the Department of Social Services shall employ no more than 1,753.87 full-time equivalent (FTE) employees from the General Revenue Fund.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Keaveny	Kehoe
Lager	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—25

NAYS—Senators

Emery	Holsman	Justus	Kraus	Lamping	LeVota	Nasheed—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HB 1136**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2012** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2012**.

### PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2012** moved that the following conference committee report be taken up, which motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2012

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for

House Bill No. 2012, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2012.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2012.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2012, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer  
 /s/ Ryan Silvey  
 /s/ Dan Brown  
 /s/ S. Kiki Curls  
 /s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream  
 /s/ Thomas Flanigan  
 /s/ Mark Parkinson  
 /s/ Chris Kelly  
 /s/ Jeanne Kirkton

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kraus	Lager	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Lamping—1

Absent—Senator Kehoe—1

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2012**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
 SENATE COMMITTEE SUBSTITUTE FOR  
 HOUSE COMMITTEE SUBSTITUTE FOR  
 HOUSE BILL NO. 2012

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees,

for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2014 and ending June 30, 2015.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Lamping—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2013** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2013**.

### PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2013** moved that the following conference committee report be taken up, which motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2013

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2013, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2013.

2. That the House recede from its position on House Committee Substitute for House Bill No. 2013.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2013, be truly agreed to and finally passed.

**FOR THE SENATE:**

/s/ Kurt Schaefer

/s/ Ryan Silvey

/s/ Dan Brown

/s/ S. Kiki Curls

/s/ Gina Walsh

**FOR THE HOUSE:**

/s/ Rick Stream

/s/ Thomas Flanigan

/s/ Mark Parkinson

/s/ Jeanne Kirkton

/s/ Stephen Webber

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

**YEAS—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

**NAYS—Senator Lamping—1****Absent—Senators—None****Absent with leave—Senators—None****Vacancies—2**

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2013**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2013**

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2014 and ending June 30, 2015; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

**YEAS—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger

Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Lamping—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HCS** for **HB 2021**.

### RESOLUTIONS

Senator Romine offered Senate Resolution No. 2044, regarding Regina G. Elfrink, which was adopted.

Senator Romine offered Senate Resolution No. 2045, regarding Claudia R. Gillam, which was adopted.

Senator Kehoe offered Senate Resolution No. 2046, regarding Roberta Hubbs, which was adopted.

Senator Sater offered Senate Resolution No. 2047, regarding David C. Vaughn, which was adopted.

On motion of Senator Richard, the Senate adjourned until 3:00 p.m., Monday, May 12, 2014.

### SENATE CALENDAR

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SIXTY-SIXTH DAY—MONDAY, MAY 12, 2014

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### FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HCS for HJR 75



## THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt (In  
Fiscal Oversight)

SS for SCS for SB 850-Munzlinger (In  
Fiscal Oversight)

SS for SB 538-Keaveny (In Fiscal  
Oversight)

## SENATE BILLS FOR PERFECTION

1. SB 858-Kraus
2. SB 669-Schaaf
3. SB 821-Schaefer
4. SB 823-Dixon, et al, with SCS
5. SB 973-Brown
6. SB 815-Pearce, with SCS

7. SBs 798 & 514-Emery, with SCS
8. SB 865-Nieves
9. SB 619-Nieves, with SCS
10. SB 531-Nasheed
11. SB 820-Schaefer

## HOUSE BILLS ON THIRD READING

1. HB 1073-Dugger, et al (Kraus) (In  
Fiscal Oversight)
2. HCS for HBs 1861 & 1864, with SCS  
(Munzlinger) (In Fiscal Oversight)
3. HCS for HB 1326, with SCS (Kehoe) (In  
Fiscal Oversight)
4. HCS for HB 1336, with SCS (Wasson)  
(In Fiscal Oversight)
5. HJR 48-Solon, et al (Wallingford) (In  
Fiscal Oversight)
6. HCS for HB 1371, with SCS (Justus)  
(In Fiscal Oversight)
7. HB 1865-Redmon, et al, with SCS  
(Libla) (In Fiscal Oversight)
8. HCS for HB 1075 (Kehoe) (In Fiscal  
Oversight)

9. HB 2079-Funderburk
10. HB 1454-Swan, et al (Lager)
11. HCS for HB 1689, with SCS (Pearce)
12. HB 1553-Dohrman, et al, with SCS
13. HB 1539-Kelley (127), et al, with  
SCS (Dixon)
14. HCS for HB 1231, with SCS (Dixon)
15. HCS for HB 1831, with SCS (Schmitt)
16. HCS for HBs 1179 & 1765, with SCS  
(Dixon)
17. HB 1707-Conway (Kehoe)
18. HB 2163-Riddle (Kehoe)
19. HB 1693-Barnes

## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

SB 490-Lager and Kehoe, with SCS

SB 494-Pearce, with SS (pending)

SB 501-Keaveny  
SB 518-Sater, with SCS, SA 2 & SA 1 to  
SA 2 (pending)  
SB 519-Sater, with SS & SA 1 (pending)  
SS for SB 543-Munzlinger  
SB 550-Sater, with SCS  
SB 553-Emery, with SCS, SS for SCS & SA 1  
(pending)  
SB 555-Nasheed, with SS & SA 1 (pending)  
SB 566-Sifton  
SB 573-Munzlinger, with SCS  
SB 578-Kraus  
SB 589-Brown, with SCS, SA 2 & SA 1 to  
SA 2 (pending)  
SB 617-Parson, with SCS, SS for SCS & SA 1  
(pending)  
SB 634-Parson, with SCS  
SB 641-Emery  
SB 644-LeVota  
SB 659-Wallingford, with SCS  
SB 663-Munzlinger, with SCS  
SB 671-Sater  
SB 712-Walsh, with SCS & SS for SCS  
(pending)  
SB 724-Parson  
SB 739-Romine, with SCS, SS for SCS, SA 1  
& SA 1 to SA 1 (pending)

SB 755-Wallingford  
SB 762-Schaefer, with SCS  
SB 769-Pearce, with SCS  
SB 770-Wallingford, with SCS  
SBs 787 & 804-Justus, with SCS  
SB 790-Dixon  
SB 814-Brown  
SB 819-Wallingford, with SCS  
SB 830-Parson  
SBs 836 & 800-Munzlinger, with SCS  
SB 846-Richard  
SB 848-LeVota, with SCS  
SB 875-Sater, with SCS  
SB 887-Schaefer  
SB 888-Parson, with SCS  
SB 912-Wasson and Justus, with SCS  
(pending)  
SB 919-Justus  
SB 966-Lager  
SJR 25-Lager, with SS, SA 2 & SA 1 to SA 2  
(pending)  
SJR 26-Lager, with SS & SA 1 (pending)  
SJR 34-Emery  
SJR 42-Schmitt, with SS (pending)

#### HOUSE BILLS ON THIRD READING

HCS for HB 1044, with SCS (Lamping)  
HB 1126-Dugger and Entlicher, with SCS &  
SA 6 (pending) (Kraus)  
HCS for HB 1156 (Pearce)  
HB 1173-Burlison, et al, with SA 1 & SA 1  
to SA 1 (pending) (Brown)  
HCS for HB 1189, with SCA 1 (Kehoe)  
HCS for HB 1192, with SCS (Brown)  
HCS for HB 1204, with SCS (Lager)  
HCS for HB 1261 (Kraus)  
HCS for HB 1295, with SCS (Kraus)

HCS for HB 1296, with SCS (Kraus)  
HCS for HB 1302, with SCS (Lager)  
HCS for HBs 1307 & 1313, with SCS, SA 2  
& point of order (pending) (Sater)  
HB 1388-Cornejo, et al, with SCS  
(Schaefer)  
SCS for HB 1390 as amended-Thomson, et al  
(Pearce) (In Fiscal Oversight)  
HB 1430-Jones (110), et al (Schaaf)  
HB 1455-Hoskins and Fraker (Kraus)  
HB 1468-Dohrman, et al, with SCS (Pearce)

HB 1495-Torpey and Hicks, with SCS &  
 SS#2 for SCS (pending) (Dixon)  
 HCS for HB 1501, with SS (pending) (Schmitt)  
 HB 1506-Franklin, et al (Brown)  
 HCS for HB 1514, with SCS (Parson)  
 HCS for HB 1557 (Munzlinger)  
 HB 1617-Rehder, et al, with SCS, SS#2  
 for SCS, SA 1 & SA 2 to SA 1  
 (pending) (Brown)  
 HB 1651-Fraker (Cunningham)

HCS for HB 1685 (Schaaf)  
 HCS for HB 1918 (Lager), with SA 1  
 (pending)  
 HCS for HB 1937, with SCS (Munzlinger)  
 HB 2028-Peters, et al (Schmitt)  
 HCS for HJR 47, with SA 1 & SA 1 to SA 1  
 (pending) (Kraus)  
 HJR 72-Richardson, et al (Silvey)  
 HCS for HJR 90, with SCS (pending) (Kraus)

### CONSENT CALENDAR

#### House Bills

Reported 4/15

HCS for HB 1510 (Brown)

### SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 526-Cunningham, with HA 1,  
 HA 2, HA 3, as amended, HA 4, as  
 amended, HA 5 & HA 6

SB 859-Brown, with HCS

### BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

#### In Conference

SCS for SBs 493, 485, 495, 516, 534,  
 545, 595, 616 & 624-Pearce, with  
 HCS, as amended  
 SCS for SB 612-Schaaf, with HA 1, HA 2,  
 HA 3, HA 4 & HA 5  
 SB 614-Dixon, with HCS, as amended  
 SB 621-Dixon, with HCS, as amended  
 SB 662-Kraus, with HCS, as amended

SCS for SB 672-Parson, with HCS, as  
 amended (Senate adopted CCR and passed CCS)  
 SB 693-Parson, with HCS, as amended  
 SCS for SB 716-Brown, with HCS, as amended  
 HCS for HB 1439, with SS for SCS, as  
 amended (Nieves)  
 HB 1490-Bahr, et al, with SS for SCS, as  
 amended (Emery)

RESOLUTIONS

Reported from Committee

HCR 9-Cookson, et al

HCS for HCR 13

HCS for HCR 25 (Wallingford)

HCR 29-Scharnhorst

HCR 30-Franklin, et al (Romine)

HCS for HCR 38 (Sater)

HCS for HCR 45 (Kehoe)

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# Journal of the Senate

SECOND REGULAR SESSION

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**SIXTY-SIXTH DAY—MONDAY, MAY 12, 2014**

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The Senate met pursuant to adjournment.

Senator Lager in the Chair.

Reverend Carl Gauck offered the following prayer:

“Faith in our God is indispensable to successful statesmanship.” (Abraham Lincoln)

As we begin this final week we are thankful for our safe arrival to begin our work. Help us recognize our need for You in our lives and the statesmanship we are to practice. We know that to truly love this nation we need to first love You, Our God. Help us this week to recognize we are both citizens of heaven as well as citizens of the United States. Let our efforts show forth our allegiance to You and the people of Missouri. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, May 8, 2014 was read and approved.

Senator Richard announced photographers from KRCG-TV and St. Louis Public Radio were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator LeVota offered Senate Resolution No. 2048, regarding Andrew Serrone, which was adopted.

Senator Nieves offered Senate Resolution No. 2049, regarding VA St. Louis Health Care System's Women Veterans Health Program, which was adopted.

Senator Cunningham offered Senate Resolution No. 2050, regarding the Seventy-fifth Birthday of Hazel Huff, Plato, which was adopted.

On behalf of Senator Romine and himself, Senator Wallingford offered Senate Resolution No. 2051, regarding the Fortieth Anniversary of Community Counseling Center (CCC) Southeast Regional Mental Health Services, Cape Girardeau, which was adopted.

Senator Emery offered Senate Resolution No. 2052, regarding Jessica Hamilton, Villa Ridge, which was adopted.

Senator Libla offered Senate Resolution No. 2053, regarding Lyle "Mike" Larrew, Poplar Bluff, which was adopted.

Senator Lager offered Senate Resolution No. 2054, regarding Jacob Marlay, which was adopted.

Senator Kehoe offered Senate Resolution No. 2055, regarding Suzanne Hardy, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 2056, regarding Maureen Eggen, St. Thomas, which was adopted.

Senator Kehoe offered Senate Resolution No. 2057, regarding Paul Struempf, St. Thomas, which was adopted.

Senator Lager offered Senate Resolution No. 2058, regarding Drew Dolan, which was adopted.

Senator Brown offered Senate Resolution No. 2059, regarding Carol Myers, Newburg, which was adopted.

Senator Justus offered Senate Resolution No. 2060, regarding Cody Collins, Monroe City, which was adopted.

Senator Justus offered Senate Resolution No. 2061, regarding Glenn Fowler, Vandalia, which was adopted.

Senator Justus offered Senate Resolution No. 2062, regarding Patrick Ford, Vandalia, which was adopted.

On behalf of Senator Romine, Senator Richard offered Senate Resolution No. 2063, regarding Leeta K. Berry, which was adopted.

Senator LeVota offered Senate Resolution No. 2064, regarding Emily Waggoner, which was adopted.

Senator LeVota offered Senate Resolution No. 2065, regarding George Allan, Jr., which was adopted.

Senator Wallingford offered Senate Resolution No. 2066, regarding Reverend Paul Meinsen, Jefferson City, which was adopted.

Senator Lager offered Senate Resolution No. 2067, regarding the Fiftieth Wedding Anniversary of Mr.

and Mrs. Dennie Sheehan, which was adopted.

Senator Lager offered Senate Resolution No. 2068, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Gary Swanson, Savannah, which was adopted.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 19**.

#### HOUSE CONCURRENT RESOLUTION NO. 19

WHEREAS, the children of Missouri are our future and will provide the leadership, creativity, and productivity to strengthen and sustain the quality of life in our state; and

WHEREAS, the state of Missouri has the responsibility for ensuring that our children have every possible opportunity for school and future success; and

WHEREAS, each student in Missouri deserves to be challenged academically and prepared for college, meaningful employment in our global economy, and lifelong success; and

WHEREAS, each student in Missouri deserves to be actively engaged in learning and connected to the school and broader community; and

WHEREAS, each student in Missouri deserves to be supported by qualified, caring adults and receive access to personalized learning; and

WHEREAS, each student in Missouri deserves to learn about and practice a healthy lifestyle; and

WHEREAS, each student in Missouri deserves to learn in an environment that is physically and emotionally safe; and

WHEREAS, the consequences of not ensuring our young people are challenged, engaged, supported, healthy and safe are clear; and

WHEREAS, nearly 20,500 students did not graduate from Missouri's high schools in 2009, with lost lifetime earnings for those students totaling more than \$5.3 billion according to the Alliance for Excellent Education; and

WHEREAS, Missouri spends over \$53 million each year to provide community college remediation education for recent high school graduates who did not acquire the basic skills necessary to succeed in college or at work; and

WHEREAS, the percent of Missouri children living in poverty has increased from approximately 15% in 2005 to nearly 20% in 2009; and

WHEREAS, Missouri's obesity rates have increased 13.4% over 10 years; and

WHEREAS, research indicates that more than 20 percent of students report there is no adult at their school who cares about them or knows them well; and

WHEREAS, 23% of public schools reported that bullying occurred among students on a daily or weekly basis during the 2009-2010 school year, according to the 2011 Indicators of School Crime and Safety Report:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, Second Regular Session, the Senate concurring therein, hereby recognizes September 2014 as Missouri Whole Child Month; and

BE IT FURTHER RESOLVED that the General Assembly recognizes the value of assuring that each student is challenged, engaged, supported, healthy, and safe; encourages parents, educators, and community members to support a whole child approach to education for each student; and

BE IT FURTHER RESOLVED that the General Assembly encourages every Missouri school to celebrate Whole Child Month by identifying at least one of the whole child tenets to promote and encourage throughout the month.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 22**.

HOUSE CONCURRENT RESOLUTION NO. 22

WHEREAS, insurance protects the United States economy from the adverse effects of the risks inherent in economic growth and development while also providing the resources necessary to rebuild physical and economic infrastructure, offer indemnification for business disruption, and provide coverage for medical and liability costs from injuries and loss of life in the event of catastrophic losses to persons or property; and

WHEREAS, the terrorist attack of September 11, 2001, produced insured losses larger than any natural or manmade event in history, with claims paid by insurers to their policyholders eventually totaling some \$32.5 billion, making this the second most costly insurance event in United States history; and

WHEREAS, the sheer enormity of the terrorist-induced loss, combined with the possibility of future attacks, produced financial shockwaves that shook insurance markets, causing insurers and reinsurers to exclude coverage arising from acts of terrorism from virtually all commercial property and liability policies; and

WHEREAS, the United States Congress originally passed the Terrorism Risk Insurance Act of 2002, P.L. 107-297 (TRIA), in which the federal government agreed to provide terrorism reinsurance to insurers and reauthorized this arrangement via the Terrorism Risk Insurance Extension Act of 2005, P.L. 109-144, and the Terrorism Risk Insurance Program Reauthorization Act of 2007, P.L. 110-160 (TRIPRA); and

WHEREAS, under TRIPRA, the federal government provides such reinsurance after industry-wide losses attributable to annual certified terrorism events exceed one hundred million dollars; and

WHEREAS, coverage under TRIPRA is provided to an individual insurer after the insurer incurs losses related to terrorism equal to 20% of the insurer's previous year earned premium for property-casualty lines; and

WHEREAS, after an individual insurer reaches such threshold, the insurer pays 15% of residual losses and the federal government pays the remaining 85%; and

WHEREAS, the Terrorism Risk Insurance Program has an annual cap of one hundred billion dollars of aggregate insured losses, beyond which the federal program does not provide coverage; and

WHEREAS, TRIPRA requires the federal government to recoup 100% of the benefits provided under the program via policyholder surcharges to the extent the aggregate insured losses are less than twenty-seven billion five hundred million dollars and enables the government to recoup expenditures beyond that mandatory recoupment amount; and

WHEREAS, without question, TRIA and its successors are the principal reason for the continued stability in the insurance and reinsurance market for terrorism insurance to the benefit of our overall economy; and

WHEREAS, the presence of a robust private-public partnership has provided stability and predictability, and has allowed insurers to actively participate in the market in a meaningful way; and

WHEREAS, without a program such as TRIPRA, many of our citizens who want and need terrorism coverage to operate their businesses all across the nation would be either unable to obtain insurance or unable to afford the limited coverage that would be available; and

WHEREAS, without federally provided reinsurance, property and casualty insurers would face less availability of terrorism reinsurance and would therefore be severely restricted in their ability to provide sufficient coverage for acts of terrorism to support our economy; and

WHEREAS, unfortunately, despite the hard work and dedication of this nation's counterterrorism agencies and the bravery of the men and women in uniform who fought and continue to fight battles abroad to keep us safe here at home, the threat from terrorist attacks in the United States is both real and substantial and will remain as such for the foreseeable future:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, Second Regular Session, the Senate concurring therein, hereby urge the United States Congress and the President of the United States to reauthorize the Terrorism Risk Insurance Program; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President Pro Tempore and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and each member of the Missouri Congressional delegation.



In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 48**.

HOUSE CONCURRENT RESOLUTION NO. 48

WHEREAS, the Missouri River Bank Stabilization and Navigation Fish and Wildlife Mitigation Project was initially authorized by Congress under P.L. 99-662. A total of 48,100 acres were authorized for mitigation, which included the acquisition and habitat restoration, preservation, and development of 29,900 acres of land and on an additional 18,200 acres of existing public land in the state of Iowa, Kansas, Missouri, and Nebraska; and

WHEREAS, P.L. 106-3 modified the Mitigation Project by increasing the amount of acreage to be acquired or mitigated by 118,650 acres and included the restoration of 7,000 to 20,000 acres of shallow water habitat (SWH), resulting in the total amount of land authorized for mitigation to be 166,750 acres; and

WHEREAS, on March 30, 2012, the United States Army Corps of Engineers (Corps) announced a plan to resume Missouri River SWH restoration efforts in Missouri after halting any SWH construction in Missouri in 2007 due to concerns raised by the Missouri Clean Water Commission; and

WHEREAS, the Corps proposes to finish construction of SWH on the United States Fish and Wildlife Service (USFWS) Big Muddy National Fish and Wildlife Refuge, Jameson Island Unit by constructing a chute approximately 6,000 feet long by approximately 75 feet wide, and excavating to a depth of 5 feet from the Construction Reference Plane; and

WHEREAS, the Corps' plan would extend the existing Jameson Island chute approximately one mile to the west where another outlet to the Missouri River would be constructed. To create the chute, approximately 420,812 cubic yards of earthen material would be removed using a hydraulic dredge. The earthen material would be pumped as a slurry mixture of water and soil and placed into the Missouri River; and

WHEREAS, over time, the chute is expected to widen and deepen, with approximately 546,580 cubic yards of additional soil deposited into the Missouri River; and

WHEREAS, this extension of the Jameson Island chute would result in approximately 16.77 acres of SWH at the completion of construction, and is eventually expected to develop through natural river processes to approximately 30 acres of SWH, with 27 acres of chute and 3 acres of backwater; and

WHEREAS, the project would assist the Corps in meeting SWH goals established for federally listed endangered pallid sturgeon on the Missouri River by the USFWS in their 2003 Amendment to the 2000 Biological Opinion (Bi-Op) on the Operation of the Missouri River Main Stem Reservoir System; and

WHEREAS, failure to meet the current Bi-Op goals through construction of a SWH could require the Corps to meet SWH targets using mainstem reservoir flows, may require reconsultation with the USFWS, and potentially lead to legal action and court-directed measures; and

WHEREAS, depositing excavated soil directly into the Missouri River:

(1) Contradicts long-standing efforts, including investment of the one-tenth cent Parks and Soils sales tax, which have had success in promoting soil conservation practices;

(2) Ignores best management practices;

(3) Contradicts enforcement actions taken by the United States Environmental Protection Agency and the Missouri Department of Natural Resources;

(4) Increases nutrient-rich sediment flowing to the Gulf of Mexico; and

WHEREAS, Missourians support conservation efforts that are scientifically based. Taxpayer funds, such as the Parks and Soils sales tax, are used by landowners to implement practices to prevent or minimize sediment and nutrients from entering our waterways. This project is in direct contradiction to Missouri's long-standing soil stewardship efforts by unnecessary disposing of Missouri's soil resources; and

WHEREAS, while questions remain about the scientific benefits of chutes to the pallid sturgeon, modifications to the existing chute are necessary to prevent further damage to the levee opposite the existing outlet; and

WHEREAS, it is possible to realign the current chute and achieve the stated goal of developing SWH without depositing soil into the Missouri River; and

WHEREAS, the construction of chutes to provide SWH lacks clear and convincing evidence that preservation of the pallid sturgeon will be enhanced, and conflicts with established state policies that benefit the integrity of Missouri's soil and water; and

WHEREAS, the Corps should proceed with the modification of the Jameson Island chute only if excavated soil is not deposited in the Missouri River but outside the meander belt:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urge the Corps not to proceed with the shallow water habitat modification project on the USFWS Big Muddy National Fish and Wildlife Refuge, Jameson Island Unit, unless excavated soil is deposited outside the meander belt and not into the Missouri River; and

BE IT FURTHER RESOLVED that the Missouri General Assembly strongly urges the Corps to work with the Missouri Clean Water Commission to ensure that any future SWH projects within the State of Missouri provide clear benefits to the preservation of the pallid sturgeon do not degrade Missouri's soil and water resources; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the United States Army Corps of Engineers, the United States Fish and Wildlife Service, and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCS** for **HCR 49**.

#### HOUSE COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 49

WHEREAS, in 2012, the United States Coast Guard recorded over six hundred fifty fatalities and three thousand injuries resulting from boating accidents; and

WHEREAS, the total estimated property damage from recreational boating accidents in a single year can total more than thirty-five million dollars, and does not include medical expenses or loss of life; and

WHEREAS, in 2012, nearly ninety percent of people who drowned in a boating accident were not wearing a life jacket; and

WHEREAS, operator inattention, operator inexperience, an improper lookout, and excessive speed have been identified as four of the five leading causes of boating accidents, all of which are readily preventable; and

WHEREAS, Missouri is home to hundreds of beautiful lakes and rivers enjoyed by thousands of residents and visitors alike; and

WHEREAS, Missouri ranked 7<sup>th</sup> on the list of the top 10 states for number of boating accidents as recently as two years ago with over one hundred and forty reported boating accidents:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, Second Regular Session, the Senate concurring therein, hereby recognize the week of May 17<sup>th</sup> through May 23<sup>rd</sup>, 2014, as "Missouri Safe Boating Week" in an effort to raise awareness and promote safe and responsible boating practices in the state; and

BE IT FURTHER RESOLVED that the General Assembly recommends to the citizens of this state to observe the week by educating themselves and others about the importance of being safe while on the water.

In which the concurrence of the Senate is respectfully requested.

#### HOUSE BILLS ON THIRD READING

Senator Dixon moved that **HB 1495**, with **SCS** and **SS No. 2** for **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SS No. 2** for **SCS** for **HB 1495** was again taken up.

Senator Dixon moved that **SS No. 2** for **SCS** for **HB 1495** be adopted, which motion prevailed.

On motion of Senator Dixon, **SS No. 2** for **SCS** for **HB 1495** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Sater	Schaaf	Schaefer	Schmitt	Sifton
Walsh	Wasson—26						

NAYS—Senators

Emery	Lager	Lamping	Wallingford—4
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Absent—Senator Silvey—1

Absent with leave—Senator Romine—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 1296**, with **SCS**, entitled:

An Act to repeal section 144.080, RSMo, and to enact in lieu thereof one new section relating to payment of sales tax.

Was called from the Informal Calendar and taken up by Senator Kraus.

**SCS** for **HCS** for **HB 1296**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1296

An Act to repeal sections 143.451 and 144.080, RSMo, and to enact in lieu thereof two new sections relating to taxes based on sales, with an existing penalty provision.

Was taken up.

Senator Kraus moved that **SCS** for **HCS** for **HB 1296** be adopted.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1296, Page 9, Section 143.451, Line 280, by inserting after all of said line the following:

“144.049. 1. For purposes of this section, the following terms mean:

(1) “Clothing”, any article of wearing apparel, including footwear, intended to be worn on or about the human body. The term shall include but not be limited to cloth and other material used to make school uniforms or other school clothing. Items normally sold in pairs shall not be separated to qualify for the exemption. The term shall not include watches, watchbands, jewelry, handbags, handkerchiefs, umbrellas, scarves, ties, headbands, or belt buckles; and

(2) “Personal computers”, a laptop, desktop, or tower computer system which consists of a central processing unit, random access memory, a storage drive, a display monitor, and a keyboard and devices designed for use in conjunction with a personal computer, such as a disk drive, memory module, compact disk drive, daughterboard, [digitalizer] **digitizer**, microphone, modem, motherboard, mouse, multimedia speaker, printer, scanner, single-user hardware, single-user operating system, soundcard, or video card;

(3) “School supplies”, any item normally used by students in a standard classroom for educational purposes, including but not limited to textbooks, notebooks, paper, writing instruments, crayons, art supplies, rulers, book bags, backpacks, handheld calculators, chalk, maps, and globes. The term shall not include watches, radios, CD players, headphones, sporting equipment, portable or desktop telephones, copiers or other office equipment, furniture, or fixtures. School supplies shall also include computer software having a taxable value of three hundred fifty dollars or less **and any graphing calculator having a taxable value of one hundred fifty dollars or less.**

2. In each year beginning on or after January 1, 2005, there is hereby specifically exempted from state sales tax law all retail sales of any article of clothing having a taxable value of one hundred dollars or less, all retail sales of school supplies not to exceed fifty dollars per purchase, all computer software with a taxable value of three hundred fifty dollars or less, **all graphing calculators having a taxable value of one hundred fifty dollars or less**, and all retail sales of personal computers or computer peripheral devices not to exceed three thousand five hundred dollars, during a three-day period beginning at 12:01 a.m. on the first Friday in August and ending at midnight on the Sunday following.

3. If the governing body of any political subdivision adopted an ordinance that applied to the 2004 sales tax holiday to prohibit the provisions of this section from allowing the sales tax holiday to apply to such political subdivision’s local sales tax, then, notwithstanding any provision of a local ordinance to the contrary, the 2005 sales tax holiday shall not apply to such political subdivision’s local sales tax. However, any such political subdivision may enact an ordinance to allow the 2005 sales tax holiday to apply to its local sales taxes. A political subdivision must notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any ordinance or order rescinding an ordinance or order to opt out.

4. This section shall not apply to any sales which take place within the Missouri state fairgrounds.

5. This section applies to sales of items bought for personal use only.

6. After the 2005 sales tax holiday, any political subdivision may, by adopting an ordinance or order, choose to prohibit future annual sales tax holidays from applying to its local sales tax. After opting out, the political subdivision may rescind the ordinance or order. The political subdivision must notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any ordinance or order rescinding an ordinance or order to opt out.

7. This section may not apply to any retailer when less than two percent of the retailer’s merchandise

offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Kraus moved that **SCS** for **HCS** for **HB 1296**, as amended, be adopted, which motion prevailed.

Senator Kraus moved that **SCS** for **HCS** for **HB 1296**, as amended, be read the 3rd time and passed and was recognized to close.

President Kinder assumed the Chair.

President Pro Tem Dempsey referred **SCS** for **HCS** for **HB 1296**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

### **REFERRALS**

President Pro Tem Dempsey referred **HCS** for **HB 1689**, with **SCS**; **HCS** for **HB 1231**, with **SCS**; **HCS** for **HBs 1179** and **1765**, with **SCS**; and **HB 2163** to the Committee on Governmental Accountability and Fiscal Oversight.

### **HOUSE BILLS ON THIRD READING**

**HCS** for **HB 1557**, entitled:

An Act to repeal sections 304.015 and 304.180, RSMo, and to enact in lieu thereof three new sections relating to traffic regulations, with a penalty provision.

Was called from the Informal Calendar and taken up by Senator Munzlinger.

Senator Munzlinger offered **SS** for **HCS** for **HB 1557**, entitled:

#### **SENATE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1557**

An Act to repeal sections 304.015 and 304.180, RSMo, and to enact in lieu thereof three new sections relating to traffic regulations, with a penalty provision.

Senator Munzlinger moved that **SS** for **HCS** for **HB 1557** be adopted.

Senator Dixon assumed the Chair.

Senator Holsman offered **SA 1**, which was read:

#### **SENATE AMENDMENT NO. 1**

Amend Senate Substitute for House Committee Substitute for House Bill No. 1557, Page 12, Section 304.875, Line 6, by striking the words “thirty-five”.

Senator Holsman moved that the above amendment be adopted.

Senator Lager offered **SSA 1** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR  
SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 1557, Pages 11-17, Section 304.875, by striking all of said section from the bill and inserting in lieu thereof the following:

**“304.286. Beginning September 1, 2014, no county, city, town, village, municipality, state agency, or other political subdivision of this state that is authorized to issue a notice of violation for a violation of a state or local traffic law or regulation, shall implement or employ a new automated photo red light enforcement system at any intersection within its jurisdiction. As used in this section, the term “automated photo red light enforcement system” shall mean a device consisting of a camera or cameras and a vehicle sensor or sensors, installed to work in conjunction with a traffic control signal, which is used to produce recorded images of motor vehicles entering an intersection against a red signal indication.”; and**

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above substitute amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Brown, Kraus, Libla and Schaaf.

At the request of Senator Munzlinger, **HCS for HB 1557**, with **SS, SA 1** and **SSA 1 for SA 1** (pending), was placed on the Informal Calendar.

**REPORTS OF STANDING COMMITTEES**

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **HB 1073**; **HCS for HB 1075**; **HCS for HB 1326**, with **SCS**; **HCS for HBs 1861 and 1864**, with **SCS**; and **HCS for HB 1371**, with **SCS**, begs leave to report that it has considered the same and recommends that the bills do pass.

**HOUSE BILLS ON THIRD READING**

**HB 1651**, introduced by Representative Fraker, entitled:

An Act to repeal section 394.120, RSMo, and to enact in lieu thereof one new section relating to electric cooperatives.

Was called from the Informal Calendar and taken up by Senator Cunningham.

On motion of Senator Cunningham, **HB 1651** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Romine—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schmitt moved that **HCS** for **HB 1501**, with **SS**, as amended (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SS** for **HCS** for **HB 1501**, as amended, was again taken up.

Senator Kraus assumed the Chair.

Senator Schaaf offered **SA 6**, which was read:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for House Committee Substitute for House Bill No. 1501, Page 1, Section 67.2050, Line 7, by inserting after the word “unless” the following: “,”.

Senator Schaaf moved that the above amendment be adopted.

At the request of Senator Schmitt, **HCS** for **HB 1501**, with **SS** and **SA 6** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House Conferees on **SS** for **SCS** for **HCS** for **HB 1439** be allowed to exceed the differences on section 571.070.1 (3), (4).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 841**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 785**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 907**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 782**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 593**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 492**, entitled:

An Act to repeal sections 161.097, 163.191, 173.030, 173.1006, 174.450, and 178.638, RSMo, and to enact in lieu thereof seven new sections relating to authorization for funding and administrative processes in higher education.

With House Amendment Nos. 1, 2, 3 and 4.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 492, Page 3, Section 163.191, Line 46, by deleting the word “**Beginning**” and inserting in lieu thereof the following:

“**Unless the general assembly chooses to otherwise appropriate state funding, beginning**”; and

Further amend said bill, section, and page, Line 51, by deleting the word “will” and inserting in lieu thereof the following:

“**[will] shall**”; and

Further amend said bill, Page 9, Section 173.1006, Lines 17 to 19, by deleting all of said lines and inserting in lieu thereof the following:

“**each institution. Each institution shall adopt, in collaboration with the coordinating board for higher education, an additional institutional performance measure to measure student job placement in a field or position associated with the student’s degree level and pursuit of a graduate degree. The**”; and

Further amend said bill, Page 10, Section 173.1540, Line 6, by deleting the word “**The**” and inserting in lieu thereof the following:

“**Unless the general assembly chooses to otherwise appropriate state funding, the**”; and

Further amend said bill, page, and section, Line 21, by deleting the word “**No**” and inserting in lieu thereof the following:

“**Unless otherwise provided by the general assembly during the appropriations process, no**”; and

Further amend said bill, page, and section, Line 30, by deleting the word “**At**” and inserting in lieu thereof the following:

“**Unless otherwise provided by the general assembly during the appropriations process, at**”; and

Further amend said bill and section, Page 11, Line 35, by deleting the word “**tem**” and inserting in lieu thereof the following:



**“tempore”**; and

Further amend said bill, Page 13, Section 178.638, Line 11, by deleting the word **“Beginning”** and inserting in lieu thereof the following:

**“Unless the general assembly chooses to otherwise appropriate state funding, beginning”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 492, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“160.545. 1. There is hereby established within the department of elementary and secondary education the “A+ Schools Program” to be administered by the commissioner of education. The program shall [consist of grant awards made to] **require** public secondary schools that **apply to be an A+ school to** demonstrate a commitment to ensure that:

(1) All students be graduated from school;

(2) All students complete a selection of high school studies that is challenging and for which there are identified learning expectations; and

(3) All students proceed from high school graduation to a college or postsecondary vocational or technical school or high-wage job with work place skill development opportunities.

2. The state board of education shall promulgate rules and regulations for the approval of [grants made under the program to] schools that:

(1) Establish measurable districtwide performance standards for the goals of the program outlined in subsection 1 of this section; and

(2) Specify the knowledge, skills and competencies, in measurable terms, that students must demonstrate to successfully complete any individual course offered by the school, and any course of studies which will qualify a student for graduation from the school; and

(3) Do not offer a general track of courses that, upon completion, can lead to a high school diploma; and

(4) Require rigorous coursework with standards of competency in basic academic subjects for students pursuing vocational and technical education as prescribed by rule and regulation of the state board of education; and

(5) Have a partnership plan developed in cooperation and with the advice of local business persons, labor leaders, parents, and representatives of college and postsecondary vocational and technical school representatives, with the plan then approved by the local board of education. The plan shall specify a mechanism to receive information on an annual basis from those who developed the plan in addition to senior citizens, community leaders, and teachers to update the plan in order to best meet the goals of the program as provided in subsection 1 of this section. Further, the plan shall detail the procedures used in the school to identify students that may drop out of school and the intervention services to be used to meet the needs of such students. The plan shall outline counseling and mentoring services provided to students who will enter the work force upon graduation from high school, address apprenticeship and intern programs, and shall contain procedures for the recruitment of volunteers from the community of the school to serve

in schools receiving program grants.

3. A school district may participate in the program irrespective of its accreditation classification by the state board of education, provided it meets all other requirements.

4. [By rule and regulation, the state board of education may determine a local school district variable fund match requirement in order for a school or schools in the district to receive a grant under the program. However, no school in any district shall receive a grant under the program unless the district designates a salaried employee to serve as the program coordinator, with the district assuming a minimum of one-half the cost of the salary and other benefits provided to the coordinator. Further, no school in any district shall receive a grant under the program unless the district makes available facilities and services for adult literacy training as specified by rule of the state board of education.

5. For any school that meets the requirements for the approval of the grants authorized by this section and specified in subsection 2 of this section for three successive school years, by August first following the third such school year, the commissioner of education shall present a plan to the superintendent of the school district in which such school is located for the waiver of rules and regulations to promote flexibility in the operations of the school and to enhance and encourage efficiency in the delivery of instructional services in the school. The provisions of other law to the contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257 in the school. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a means for the waiver of requirements otherwise imposed on the school related to the authority of the state board of education to classify school districts pursuant to subdivision (9) of section 161.092 and such other rules and regulations as determined by the commissioner of education, except such waivers shall be confined to the school and not other schools in the school district unless such other schools meet the requirements of this subsection. However, any waiver provided to any school as outlined in this subsection shall be void on June thirtieth of any school year in which the school fails to meet the requirements for the approval of the grants authorized by this section as specified in subsection 2 of this section.

6. For any school year, grants authorized by subsections 1 to 3 of this section shall be funded with the amount appropriated for this program, less those funds necessary to reimburse eligible students pursuant to subsection 7 of this section.

7.] The commissioner of **higher** education shall, by rule and regulation of the [state board of education] **coordinating board for higher education** and with the advice of the [coordinating board for higher education] **state board of education**, establish a procedure for the reimbursement of the cost of tuition, books and fees to any public community college or vocational or technical school or within the limits established in subsection [9] **8** of this section for any two-year private vocational or technical school for any student:

(1) Who has attended a public high school in the state for at least three years immediately prior to graduation that meets the requirements of subsection 2 of this section, except that students who are active duty military dependents, and students who are dependants of retired military who relocate to Missouri within one year of the date of the parent's retirement from active duty, who, in the school year immediately preceding graduation, meet all other requirements of this subsection and are attending a school that meets the requirements of subsection 2 of this section shall be exempt from the three-year attendance requirement of this subdivision; and

(2) Who has made a good faith effort to first secure all available federal sources of funding that could be applied to the reimbursement described in this subsection; and

(3) Who has earned a minimal grade average while in high school as determined by rule of the state board of education, and other requirements for the reimbursement authorized by this subsection as determined by rule and regulation of said board.

**[8.] 5. Beginning with academic year 2015-16, the department of higher education shall develop a procedure to permit the reimbursement of educational costs beyond tuition and general fees incurred at an A+ eligible postsecondary institution by a student who qualifies for reimbursement under subsection 4 of this section and applies for such reimbursement upon the following conditions:**

**(1) The reimbursement shall be an amount no greater than tuition and related academic fees, including book purchase or rental, for dual credit courses paid by the student while in high school;**

**(2) The dual credit course was provided by an institution that is a qualified A+ postsecondary institution under subsection 4 or 8 of this section;**

**(3) The dual credit course is accepted for credit by the institution at which the student uses the A+ program.**

**The provisions of this subsection shall be applicable only to postsecondary students at vocational-technical centers and those pursuing a certificate or an associate of science or associate of applied science degree at any other qualified A+ postsecondary institution.**

**6. If insufficient funds are available to provide full reimbursement of all permitted costs under this section, the reimbursement shall be prioritized in the following order from highest to lowest:**

**(1) Tuition;**

**(2) General fees;**

**(3) Other educational costs as defined by federal student financial aid regulations.**

**7. The commissioner of education and the commissioner of higher education shall develop a procedure for evaluating the effectiveness of the program described in this section for improving high school outcomes and for effectiveness in providing access and completion of postsecondary programs.** Such evaluation shall be conducted annually with the results of the evaluation provided to the governor, speaker of the house, and president pro tempore of the senate.

**[9.] 8. For a two-year private vocational or technical school to obtain reimbursements under subsection [7] 4 of this section, the following requirements shall be satisfied:**

**(1) Such two-year private vocational or technical school shall be a member of the North Central Association and be accredited by the Higher Learning Commission as of July 1, 2008, and maintain such accreditation;**

**(2) Such two-year private vocational or technical school shall be designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended;**

**(3) No two-year private vocational or technical school shall receive tuition reimbursements in excess of the tuition rate charged by a public community college for course work offered by the private vocational or technical school within the service area of such college; and**

(4) The reimbursements provided to any two-year private vocational or technical school shall not violate the provisions of Article IX, Section 8, or Article I, Section 7, of the Missouri Constitution or the first amendment of the United States Constitution. “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 492, Page 13, Section 178.638, Line 13, by inserting after all of said section and line the following:

“340.381. 1. Sections 340.381 to 340.396 establish a student loan forgiveness program for approved veterinary students who practice in areas of defined need. Such program shall be known as the “**Dr. Merrill Townley Large Animal Veterinary Student Loan Program**”.

2. There is hereby created in the state treasury the “Veterinary Student Loan Payment Fund”, which shall consist of general revenue appropriated to the large animal veterinary student loan program, voluntary contributions to support or match program activities, money collected under section 340.396, and funds received from the federal government. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the administration of sections 340.381 to 340.396. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

340.396. 1. Sections 340.381 to 340.396 shall not be construed to require the department to enter into contracts with individuals who qualify for education loans or loan repayment programs when federal, state, and local funds are not available for such purposes.

2. Sections 340.381 to 340.396 shall not be subject to the provisions of sections 23.250 to 23.298.

[3. Sections 340.381 to 340.396 shall expire on June 30, 2013.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 492, Page 9, Section 173.030, Line 136, by inserting after all of said line the following:

“173.670. 1. There is hereby established within the department of higher education the “Missouri Science, Technology, Engineering and Mathematics Initiative”. The department of higher education may award matching funds through this initiative to public institutions of higher education as part of the annual appropriations process.

2. The purpose of the initiative shall be to provide support to increase interest among elementary, secondary, and university students in fields of study related to science, technology, engineering, and mathematics and to increase the number of Missouri graduates in these fields at Missouri’s public two- and four-year institutions of higher education.

3. There is hereby created a “Science, Technology, Engineering and Mathematics Fund”, which shall consist of money collected under this section. The state treasurer shall be custodian of the fund and may

approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the administration of this section. Any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

**4. As part of the initiative, the department of higher education shall develop a process to award grants to Missouri public two- and four-year institutions of higher education and school districts that have entered into articulation agreements to offer information technology certification through technical course work leading to postsecondary academic credit through the program established in section 173.675.**

**5.** The general assembly may appropriate funds to the science, technology, engineering, and mathematics fund to match institution funds to support the following programs:

(1) Endowed teaching professor programs, which provide funds to support faculty who teach undergraduate courses in science, technology, engineering, or mathematics fields at public institutions of higher education;

(2) Scholarship programs, which provide financial aid or loan forgiveness awards to Missouri students who study in the science, technology, engineering, or mathematics fields or who plan to enter the teaching field in Missouri with an emphasis on science, technology, engineering, and mathematics areas;

(3) Experiential youth programs at public colleges or universities, designed to provide Missouri middle school, junior high, and high school students with the opportunity to experience science, technology, engineering, and mathematics fields through camps or other educational offerings;

(4) Career enhancement programs for current elementary and secondary teachers and professors at Missouri public and private colleges and universities in the science, technology, engineering, or mathematics fields to improve the quality of teaching.

**173.675. 1. The department of higher education shall develop a program to offer information technology certification through technical course work that leads to postsecondary academic credit. The program shall be available to students enrolled in a public high school in Missouri that has entered into an articulation agreement with a Missouri public two- or four-year institution of higher education to offer such course work. The program shall provide instruction on skills and competencies essential for the workplace and requested by employers and shall include the following components:**

- (1) A web-enabled online curriculum;**
- (2) Instructional software for classroom and student use;**
- (3) Training for teachers to advance technical education skills;**
- (4) Industry recognized skills certification; and**
- (5) Integration with existing education standards.**

**2. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536**

are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.

**173.680. 1.** The department of higher education shall conduct a study to identify the information technology industry certifications most frequently requested by employers in Missouri. The department of higher education may conduct the study with the assistance of other state departments and agencies, the Missouri mathematics and science coalition, and the governor's advisory council on science, technology, engineering, and mathematical issues.

**2.** The department of higher education shall complete the study no later than January 31, 2015. The department shall prepare the findings in a report and provide it to:

- (1) The president pro tempore of the senate;
- (2) The speaker of the house of representatives;
- (3) The joint committee on education;
- (4) The governor;
- (5) The coordinating board for higher education; and
- (6) The state board of education.”; and

Further amend said title, enacting clause and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt the Conference Committee Report for House Committee Substitute for Senate Committee Substitute for Senate Bill 672, as amended, and request the Senate grant the House a further conference.

### **PRIVILEGED MOTIONS**

Senator Parson moved that the Senate grant the House further conference on **HCS** for **SCS** for **SB 672**, as amended, which motion prevailed.

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Dempsey re-appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 672**, as amended: Senators Parson, Dixon, Romine, Justus and Keaveny.

President Pro Tem Dempsey assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 1692**, begs leave to report that it has considered the same and recommends that the Senate

Committee Substitute, hereto attached, do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 1614**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HB 1883**, begs leave to report that it has considered the same and recommends that the bill do pass, with Senate Committee Amendment No. 1.

#### SENATE COMMITTEE AMENDMENT NO. 1

Amend House Bill No. 1883, Page 2, Section 44.227, by striking all of said section from the bill; and

Further amend said bill and page, Section 44.238, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 1906**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following report:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **HCS** for **HB 2141**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HB 1574**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS** for **HB 1336**, with **SCS**, begs leave to report that it has considered the same and recommends that the bill do pass.

#### RESOLUTIONS

Senator LeVota offered Senate Resolution No. 2069, regarding the First Bots of Independence robotics team, which was adopted.

On motion of Senator Richard, the Senate recessed until 9:30 p.m.

**RECESS**

The time of recess having expired, the Senate was called to order by Senator Schaaf.

Senator Pearce requested unanimous consent of the Senate that the rules be suspended for the purpose of allowing the conferees on **HCS** for **SCS** for **SBs 493, 485, 495, 516, 534, 545, 595, 616** and **624**, as amended, to meet while the Senate is in session, which request was granted.

**HOUSE BILLS ON THIRD READING**

Senator Sater moved that **HCS** for **HBs 1307** and **1313**, with **SCS, SA 2** and the point of order (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Sater, the point of order was withdrawn.

**SA 2** was again taken up.

Senator Dixon assumed the Chair.

Senator Kehoe assumed the Chair.

President Pro Tem Dempsey assumed the Chair.

The request for a roll call vote on the adoption of **SA 2** was withdrawn by Senator Sifton.

Senator Sifton moved that **SA 2** be adopted, which motion failed.

Senator Sater moved that **SCS** for **HCS** for **HBs 1307** and **1313** be adopted, which motion prevailed.

On motion of Senator Sater, **SCS** for **HCS** for **HBs 1307** and **1313** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager	Lamping
Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—22		

## NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton
Walsh—9							

Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

The President Pro Tem declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.



Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Kraus moved that **HCS** for **HJR 90**, with **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SCS** for **HCS** for **HJR 90** was again taken up.

Senator Kraus offered **SS** for **SCS** for **HCS** for **HJR 90**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE JOINT RESOLUTION NO. 90

Joint Resolution submitting to the qualified voters of Missouri an amendment to article VIII of the Constitution of Missouri, by adding thereto one new section relating to early voting.

Senator Kraus moved that **SS** for **SCS** for **HCS** for **HJR 90** be adopted.

Senator Kehoe assumed the Chair.

Senator LeVota offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Joint Resolution No. 90, Page 2, Section 11, Lines 17-28 of said page, by striking all of said lines; and

Further amend said bill and section, page 3, lines 1-13 of said page, by striking all of said lines; and further amend said section by renumbering the remaining subsections accordingly.

Senator LeVota moved that the above amendment be adopted, which motion failed.

Senator LeVota offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Joint Resolution No. 90, Page 2, Section 11, Line 6, by inserting immediately after said line the following:

**“(3) In-person and mail-in absentee voting shall be conducted without excuse during the time period for absentee voting as authorized under general law;”**; and further amend said section by renumbering the remaining subdivisions accordingly.

Senator LeVota moved that the above amendment be adopted, which motion failed.

Senator LeVota offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Joint Resolution No. 90, Page 2, Section 11, Line 8 of said page, by striking “six” and inserting in lieu thereof the following: **“fifteen”**; and

Further amend said resolution, Page 4, Section B, Line 18 of said page, by striking “six” and inserting in lieu thereof the following: **“fifteen”**.

Senator LeVota moved that the above amendment be adopted, which motion failed.

Senator Kraus moved that **SS** for **SCS** for **HCS** for **HJR 90** be adopted, which motion prevailed.

On motion of Senator Kraus, **SS** for **SCS** for **HCS** for **HJR 90** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager	Lamping
Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—22		

NAYS—Senators

Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton	Walsh—8
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Absent—Senator Chappelle-Nadal—1

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the joint resolution passed.

On motion of Senator Kraus, title to the joint resolution was agreed to.

Senator Kraus moved that the vote by which the joint resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### REFERRALS

President Pro Tem Dempsey referred **HB 1906**, with **SCS** and **HCS** for **HB 2141**, with **SCS** to the Committee on Governmental Accountability and Fiscal Oversight.

On motion of Senator Richard, the Senate adjourned under the rules.

### SENATE CALENDAR

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SIXTY-SEVENTH DAY—TUESDAY, MAY 13, 2014

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### FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HCS for HJR 75

### THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt  
(In Fiscal Oversight)

SS for SCS for SB 850-Munzlinger  
(In Fiscal Oversight)

SS for SB 538-Keaveny  
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- |                                  |                                  |
|----------------------------------|----------------------------------|
| 1. SB 858-Kraus                  | 7. SBs 798 & 514-Emery, with SCS |
| 2. SB 669-Schaaf                 | 8. SB 865-Nieves                 |
| 3. SB 821-Schaefer               | 9. SB 619-Nieves, with SCS       |
| 4. SB 823-Dixon, et al, with SCS | 10. SB 531-Nasheed               |
| 5. SB 973-Brown                  | 11. SB 820-Schaefer              |
| 6. SB 815-Pearce, with SCS       |                                  |

HOUSE BILLS ON THIRD READING

- |   |  |
|---|--|
| 1. HB 1073-Dugger, et al (Kraus)                                    | 14. HCS for HB 1231, with SCS (Dixon)<br>(In Fiscal Oversight)         |
| 2. HCS for HBs 1861 & 1864, with SCS<br>(Munzlinger)                | 15. HCS for HB 1831, with SCS (Schmitt)                                |
| 3. HCS for HB 1326, with SCS (Kehoe)                                | 16. HCS for HBs 1179 & 1765, with SCS<br>(Dixon) (In Fiscal Oversight) |
| 4. HCS for HB 1336, with SCS (Wasson)                               | 17. HB 1707-Conway (Kehoe)   |
| 5. HJR 48-Solon, et al (Wallingford)<br>(In Fiscal Oversight)       | 18. HB 2163-Riddle (Kehoe)<br>(In Fiscal Oversight)                    |
| 6. HCS for HB 1371, with SCS (Justus)                               | 19. HB 1693-Barnes (Schaefer)  |
| 7. HB 1865-Redmon, et al, with SCS<br>(Libla) (In Fiscal Oversight) | 20. HB 1692-Korman, with SCS   |
| 8. HCS for HB 1075 (Kehoe)  | 21. HCS for HB 1614, with SCS  |
| 9. HB 2079-Funderburk (Lager)                                       | 22. HB 1883-Flanigan and Allen, with<br>SCA 1                          |
| 10. HB 1454-Swan, et al (Lager)                                     | 23. HB 1906-Schieber, with SCS<br>(In Fiscal Oversight)                |
| 11. HCS for HB 1689, with SCS (Pearce)<br>(In Fiscal Oversight)     | 24. HCS for HB 2141, with SCS<br>(In Fiscal Oversight)                 |
| 12. HB 1553-Dohrman, et al, with SCS<br>(Pearce)                    | 25. HB 1574-Hoskins  |
| 13. HB 1539-Kelley (127), et al, with<br>SCS (Dixon)                |  |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 490-Lager and Kehoe, with SCS

SB 494-Pearce, with SS (pending)

SB 501-Keaveny  
 SB 518-Sater, with SCS, SA 2 & SA 1 to  
   SA 2 (pending)  
 SB 519-Sater, with SS & SA 1 (pending)  
 SS for SB 543-Munzlinger  
 SB 550-Sater, with SCS  
 SB 553-Emery, with SCS, SS for SCS &  
   SA 1 (pending)  
 SB 555-Nasheed, with SS & SA 1 (pending)  
 SB 566-Sifton  
 SB 573-Munzlinger, with SCS  
 SB 578-Kraus  
 SB 589-Brown, with SCS, SA 2 &  
   SA 1 to SA 2 (pending)  
 SB 617-Parson, with SCS, SS for SCS &  
   SA 1 (pending)  
 SB 634-Parson, with SCS  
 SB 641-Emery  
 SB 644-LeVota  
 SB 659-Wallingford, with SCS  
 SB 663-Munzlinger, with SCS  
 SB 671-Sater  
 SB 712-Walsh, with SCS & SS for SCS (pending)  
 SB 724-Parson  
 SB 739-Romine, with SCS, SS for SCS,  
   SA 1 & SA 1 to SA 1 (pending)

SB 755-Wallingford  
 SB 762-Schaefer, with SCS  
 SB 769-Pearce, with SCS  
 SB 770-Wallingford, with SCS  
 SBs 787 & 804-Justus, with SCS  
 SB 790-Dixon  
 SB 814-Brown  
 SB 819-Wallingford, with SCS  
 SB 830-Parson  
 SBs 836 & 800-Munzlinger, with SCS  
 SB 846-Richard  
 SB 848-LeVota, with SCS  
 SB 875-Sater, with SCS  
 SB 887-Schaefer  
 SB 888-Parson, with SCS  
 SB 912-Wasson and Justus, with SCS  
   (pending)  
 SB 919-Justus  
 SB 966-Lager  
 SJR 25-Lager, with SS, SA 2 & SA 1 to  
   SA 2 (pending)  
 SJR 26-Lager, with SS & SA 1 (pending)  
 SJR 34-Emery  
 SJR 42-Schmitt, with SS (pending)

#### HOUSE BILLS ON THIRD READING

HCS for HB 1044, with SCS (Lamping)  
 HB 1126-Dugger and Entlicher, with  
   SCS & SA 6 (pending) (Kraus)  
 HCS for HB 1156 (Pearce)  
 HB 1173-Burlison, et al, with SA 1 &  
   SA 1 to SA 1 (pending) (Brown)  
 HCS for HB 1189, with SCA 1 (Kehoe)  
 HCS for HB 1192, with SCS (Brown)  
 HCS for HB 1204, with SCS (Lager)  
 HCS for HB 1261 (Kraus)  
 HCS for HB 1295, with SCS (Kraus)

SCS for HCS for HB 1296, as amended  
   (Kraus) (In Fiscal Oversight)  
 HCS for HB 1302, with SCS (Lager)  
 HB 1388-Cornejo, et al, with SCS (Schaefer)  
 SCS for HB 1390-Thomson, et al,  
   as amended (Pearce) (In Fiscal Oversight)  
 HB 1430-Jones (110), et al (Schaaf)  
 HB 1455-Hoskins and Fraker (Kraus)  
 HB 1468-Dohrman, et al, with SCS (Pearce)  
 HCS for HB 1501, with SS & SA 6  
   (pending) (Schmitt)

HB 1506-Franklin, et al (Brown)  
HCS for HB 1514, with SCS (Parson)  
HCS for HB 1557, with SS, SA 1 & SSA 1  
for SA 1 (pending) (Munzlinger)  
HB 1617-Rehder, et al, with SCS,  
SS#2 for SCS, SA 1 & SA 2 to SA 1  
(pending) (Brown)  
HCS for HB 1685 (Schaaf)

HCS for HB 1918, with SA 1  
(pending) (Lager)  
HCS for HB 1937, with SCS (Munzlinger)  
HB 2028-Peters, et al (Schmitt)  
HCS for HJR 47, with SA 1 & SA 1 to SA 1  
(pending) (Kraus)  
HJR 72-Richardson, et al (Silvey)

## CONSENT CALENDAR

### House Bills

Reported 4/15

HCS for HB 1510 (Brown)

## SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 492-Pearce, with HCS, as amended  
SCS for SB 526-Cunningham, with  
HA 1, HA 2, HA 3, as amended,  
HA 4, as amended, HA 5 & HA 6

SB 859-Brown, with HCS

## BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

### In Conference

SCS for SBs 493, 485, 495, 516, 534,  
545, 595, 616 & 624-Pearce, with  
HCS, as amended  
SCS for SB 612-Schaaf, with HA 1,  
HA 2, HA 3, HA 4 & HA 5  
SB 614-Dixon, with HCS, as amended  
SB 621-Dixon, with HCS, as amended  
SB 662-Kraus, with HCS, as amended

SCS for SB 672-Parson, with HCS, as  
amended (Further conference granted)  
SB 693-Parson, with HCS, as amended  
SCS for SB 716-Brown, with HCS, as amended  
HCS for HB 1439, with SS for SCS, as  
amended (Nieves)  
HB 1490-Bahr, et al, with SS for SCS, as  
amended (Emery)

## RESOLUTIONS

## Reported from Committee

HCR 9-Cookson, et al (Libla)  
HCS for HCR 13 (Pearce)  
HCS for HCR 25 (Wallingford)  
HCR 29-Scharnhorst

HCR 30-Franklin, et al (Romine)  
HCS for HCR 38 (Sater)  
HCS for HCR 45 (Kehoe)

## To be Referred

HCR 19-Gannon, et al  
HCR 22-Wieland

HCR 48-McGaugh, et al  
HCS for HCR 49

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# Journal of the Senate

## SECOND REGULAR SESSION

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**SIXTY-SEVENTH DAY—TUESDAY, MAY 13, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Be my strong rock, a castle to keep me safe, for you are my crag and my stronghold; for the sake of your name lead me and guide me.”  
(Psalm 31:5)

Dear Lord, as we work through our final week we are grateful for Your presence in our lives and the time given to be faithful public servants. This week we have plenty to be accomplished and the stress is ever present. So bless us with Your grace to know that You are with us to do that which is needful and right to be done. Calm our minds so we deal fairly and dispassionately with each other so the best may be produced from our work together and the very best for the people of Missouri. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from The Missouri Times and St. Louis Public Radio were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Parson offered Senate Resolution No. 2070, regarding Tom Hodges, Sedalia, which was adopted.

Senators Nieves and Lamping offered Senate Resolution No. 2071, regarding Lauren Elise Giesecking, Chesterfield, which was adopted.

Senators Keaveny and Lamping offered Senate Resolution No. 2072, regarding Caroline M. Avery, Clayton, which was adopted.

Senator Romine offered Senate Resolution No. 2073, regarding Lisa Rose, St. Louis, which was adopted.

Senator LeVota offered Senate Resolution No. 2074, regarding the death of Raona Kathryn “Ra” Miller Hentz Nilsson, Poplar Bluff, which was adopted.

Senator Walsh offered Senate Resolution No. 2075, regarding George S. Peters, which was adopted.

Senator Justus offered Senate Resolution No. 2076, regarding Paul Davis, which was adopted.

**HOUSE BILLS ON THIRD READING**

**HB 1468**, introduced by Representative Dohrman, et al, with **SCS**, entitled:

An Act to repeal section 287.090, RSMo, and to enact in lieu thereof one new section relating to volunteers for tax-exempt organizations.

Was called from the Informal Calendar and taken up by Senator Pearce.

**SCS** for **HB 1468**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1468**

An Act to repeal sections 287.040, 287.090, 287.140, 287.780, 287.957, and 287.975, RSMo, and to enact in lieu thereof seven new sections relating to workers’ compensation, with an existing penalty provision.

Was taken up.

Senator Pearce moved that **SCS** for **HB 1468** be adopted, which motion prevailed.

Senator Pearce moved that **SCS** for **HB 1468** be read the 3rd time and passed and was recognized to close.

President Pro Tem Dempsey referred **SCS** for **HB 1468** to the Committee on Governmental Accountability and Fiscal Oversight.

**HCS** for **HB 1302**, with **SCS**, entitled:

An Act to repeal section 643.055, RSMo, and to enact in lieu thereof one new section relating to the regulation of residential wood burning appliances.

Was called from the Informal Calendar and taken up by Senator Lager.

**SCS** for **HCS** for **HB 1302**, entitled:



SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1302

An Act to repeal sections 259.010, 259.030, 259.040, 259.050, 259.070, 259.080, 259.100, 259.190, 260.273, 260.279, 260.355, 260.380, 260.392, 260.475, 444.510, 444.520, 444.762, 444.765, 444.770, 444.773, 444.805, 640.015, 640.016, 640.100, 643.055, 643.079, 644.026, 644.051, 644.057, and 644.145, RSMo, and to enact in lieu thereof thirty-four new sections relating to the department of natural resources, with penalty provisions.

Was taken up.

Senator Lager moved that **SCS** for **HCS** for **HB 1302** be adopted.

Senator Lager offered **SS** for **SCS** for **HCS** for **HB 1302**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1302

An Act to repeal sections 259.010, 259.030, 259.040, 259.050, 259.070, 259.080, 259.100, 259.190, 260.273, 260.279, 260.355, 260.380, 260.392, 260.475, 444.510, 444.520, 444.762, 444.765, 444.770, 444.805, 640.015, 640.016, 640.100, 643.055, 643.079, 644.026, 644.051, 644.057, and 644.145, RSMo, and to enact in lieu thereof thirty-two new sections relating to the department of natural resources, with penalty provisions.

Senator Lager moved that **SS** for **SCS** for **HCS** for **HB 1302** be adopted.

Senator Kraus assumed the Chair.

Senator Holsman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1302, Page 107, Section 644.145, Line 22, by inserting after all of said line the following:

**“Section 1. Notwithstanding any other provision of law to the contrary, the commission shall make available the solar rebates authorized under subsection 3 of section 393.1030 on a first come, first served basis until there is a final commission ruling indicating that the maximum average retail rate increase of one percent under subdivision (1) of subsection 2 of section 393.1030 has been met. The commission shall not have authority to segregate or withhold funds based on the classification of renewable energy sources. Any commission rule to the contrary is invalid and void. The commission, as authorized under subsection 4 of section 393.1030 may promulgate rules for offering rebates based on renewable energy sources other than solar power on a first come, first served basis, but this shall not be interpreted to allow the commission to cease offering solar rebates.”; and**

Further amend the title and enacting clause accordingly.

Senator Holsman moved that the above amendment be adopted.

Senator Lager raised the point of order that **SA 1** is out of order as it goes beyond the scope of the bill. The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Lager moved that **SS** for **SCS** for **HCS** for **HB 1302** be adopted, which motion prevailed.

Senator Lager moved that **SS** for **SCS** for **HCS** for **HB 1302** be read the 3rd time and passed and was recognized to close.

President Pro Tem Dempsey referred **SS** for **SCS** for **HCS** for **HB 1302** to the Committee on Governmental Accountability and Fiscal Oversight.

**HCS** for **HB 1685**, entitled:

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to the use of investigational drugs, with a penalty provision.

Was called from the Informal Calendar and taken up by Senator Schaaf.

Senator Schaaf offered **SS** for **HCS** for **HB 1685**, entitled:

SENATE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1685

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to the use of investigational drugs, with a penalty provision.

Senator Schaaf moved that **SS** for **HCS** for **HB 1685** be adopted, which motion prevailed.

On motion of Senator Schaaf, **SS** for **HCS** for **HB 1685** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Silvey—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HCS** for **HB 1410**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HB 1866**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has re-appointed the following Conference Committee on **HCS** for **SCS** for **SB 672**, as amended, to act with a like committee from the Senate. Representatives: Jones (50), Elmer, and LaFaver.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 723**, entitled:

An Act to repeal sections 8.010 and 8.420, RSMo, and to enact in lieu thereof two new sections relating to revenue bonds, with a referendum clause.

With House Amendment No. 1.

**HOUSE AMENDMENT NO. 1**

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 723, Page 2, Section 8.420, Line 23, by deleting all of said line and inserting in lieu thereof the following:

“seven hundred seventy-five million dollars.”; and

Further amend said bill, page, and section, Lines 32-38, by deleting all of said lines; and

Further amend said bill, page, and section, Line 38, by inserting after all of said line the following:

“8.665. 1. Bonds issued under and pursuant to the provisions of sections 8.660 to 8.670 shall be of such denomination or denominations, shall bear such rate or rates of interest not to exceed fifteen percent per annum, and shall mature at such time or times within forty years from the date thereof, as the board determines. The bonds may be either serial bonds or term bonds.

2. Serial bonds may be issued with or without the reservation of the right to call them for payment and redemption in advance of their maturity, upon the giving of such notice, and with or without a covenant requiring the payment of a premium in the event of such payment and redemption prior to maturity, as the board determines.

3. Term bonds shall contain a reservation of the right to call them for payment and redemption prior to maturity at such time or times and upon the giving of such notice, and upon the payment of such premium, if any, as the board determines.

4. The bonds, when issued, shall be sold at public sale for the best price obtainable after giving such

reasonable notice of such sale as may be determined by the board, but in no event shall such bonds be sold for less than ninety-eight percent of the par value thereof, and accrued interest. Any such bonds may be sold to the United States of America or to any agency or instrumentality thereof, at a price not less than par and accrued interest, without public sale and without the giving of notice as herein provided.

5. The bonds, when issued and sold, shall be negotiable instruments within the meaning of the law merchant and the negotiable instruments law, and the interest thereon shall be exempt from income taxes under the laws of the state of Missouri.

6. The board shall not issue revenue bonds pursuant to the provisions of sections 8.660 to 8.670 for one or more projects, as defined in section 8.660, in excess of a total par value of [one] **three** hundred [seventy] **twenty** million dollars.

7. Any bonds which may be issued pursuant to the provisions of sections 8.660 to 8.670 shall be issued only for projects which have been approved by a majority of the house members and a majority of the senate members of the committee on legislative research of the general assembly, and the approval by the committee on legislative research required by the provisions of section 8.661 shall be given only in accordance with this provision. For the purposes of approval of a project, the total amount of bonds issued for purposes of energy retrofitting in state-owned facilities shall be treated as a single project.

8. The provisions of sections 8.660 to 8.670 shall terminate upon the satisfaction of all outstanding bonds, notes and obligations issued pursuant to such sections. The commissioner of the office of administration shall notify the revisor of statutes when all outstanding bonds, notes, and obligations have been satisfied.”; and

Further amend said bill, Page 2, Section B, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

### **HOUSE BILLS ON THIRD READING**

**HB 1073** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HCS** for **HBs 1861** and **1864**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kehoe, **HCS** for **HB 1326**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Wasson, **HCS** for **HB 1336**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Justus, **HCS** for **HB 1371**, with **SCS**, was placed on the Informal Calendar.

**HCS** for **HB 1075**, entitled:

An Act to repeal sections 447.503, 447.535, 447.536, 447.547, and 447.569, RSMo, and to enact in lieu thereof six new sections relating to unclaimed property.

Was taken up by Senator Kehoe.

Senator Kehoe offered **SS** for **HCS** for **HB 1075**, entitled:

SENATE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1075

An Act to repeal sections 447.503, 447.535, 447.536, 447.547, 447.560, 447.569, and 447.584, RSMo, and to enact in lieu thereof nine new section relating to unclaimed property, with penalty provisions and an emergency clause for certain sections.

Senator Kehoe moved that **SS** for **HCS** for **HB 1075** be adopted, which motion prevailed.

On motion of Senator Kehoe, **SS** for **HCS** for **HB 1075** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Sater—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Sater—1

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 2079**, introduced by Representative Funderburk, entitled:

An Act to repeal section 393.015, RSMo, and to enact in lieu thereof two new sections relating to terminations of water services.

Was taken up by Senator Lager.

Senator Lager offered **SS** for **HB 2079**, entitled:

SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 2079

An Act to repeal sections 67.2800, 67.2815, and 393.015, RSMo, and to enact in lieu thereof five new sections relating to water services.

Senator Lager moved that **SS** for **HB 2079** be adopted.

Senator Holsman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Bill No. 2079, Page 1, In the Title, Line 4, by striking all of said line and inserting in lieu thereof the following: “to utilities.”; and

Further amend said bill, page 14, section 393.015, line 19, by inserting after all of said line the following:

**“Section 1. Notwithstanding any other provision of law to the contrary, the commission shall make available the solar rebates authorized under subsection 3 of section 393.1030 on a first come, first served basis until there is a final commission ruling indicating that the maximum average retail rate increase of one percent under subdivision (1) of subsection 2 of section 393.1030 has been met. The commission shall not have authority to segregate or withhold funds based on the classification of renewable energy sources. Any commission rule to the contrary is invalid and void. The commission, as authorized under subsection 4 of section 393.1030 may promulgate rules for offering rebates based on renewable energy sources other than solar power on a first come, first served basis, but this shall not be interpreted to allow the commission to cease offering solar rebates.”; and**

Further amend the title and enacting clause accordingly.

Senator Holsman moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Nieves assumed the Chair.

At the request of Senator Lager, **HB 2079**, with **SS** (pending), was placed on the Informal Calendar.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

**RECESS**

The time of recess having expired, the Senate was called to order by Senator Schmitt.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **HB 1270**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HB 1092**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HCS** for **HB 1779**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HCS** for **HRB 1299**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HB 1791**.

Emergency clause defeated.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HB 1190**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **HCS** for **HBs 1735** and **1618**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HB 1504** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HB 1490**, as amended, and has taken up and passed **CCS** for **SS** for **SCS** for **HB 1490**.

Emergency clause defeated.

**PRIVILEGED MOTIONS**

Senator Kraus, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 662**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 662

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 662, with House Amendment Nos. 1, 3, 4, 5, House Amendment Nos. 1 & 2 to House Amendment No. 6, House Amendment No. 6 as amended, House Substitute Amendment No. 1 to House Amendment No. 7, and House Amendment No. 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 662, as amended;
2. That the Senate recede from its position on Senate Bill No. 662;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus

/s/ Brad Lager

/s/ Wayne Wallingford

/s/ Scott Sifton

/s/ Paul LeVota

FOR THE HOUSE:

/s/ Andrew Koenig

/s/ Paul Curtman

/s/ Jon Carpenter

Senator Kraus moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Kraus, **CCS** for **HCS** for **SB 662**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 662

An Act to repeal sections 143.451, 144.021, and 144.080, RSMo, and to enact in lieu thereof four new



sections relating to taxation, with existing penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Parson, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 672**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 672

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, House Amendment No. 1 to House Amendment No. 17, and House Amendment No. 17, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 672;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Michael L. Parson

/s/ Bob Dixon

FOR THE HOUSE:

/s/ Caleb Jones

/s/ Kevin Elmer

/s/ Gary Romine

/s/ Jeremy LaFaver

/s/ Jolie Justus

/s/ Joseph P. Keaveny

Senator Parson moved that the above conference committee report no. 2 be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Lager	LeVota	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

## NAYS—Senators

Emery	Kraus	Lamping—3
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Parson, **CCS No. 2** for **HCS** for **SCS** for **SB 672**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 672

An Act to repeal sections 49.266, 56.067, 56.265, 56.363, 56.807, 56.816, 67.281, 67.320, 79.130, 94.270, 182.802, 192.310, 304.190, 321.322, 339.507, 348.407, 408.040, 488.305, 525.040, 525.070, 525.080, 525.230, and 525.310, RSMo, and to enact in lieu thereof thirty-three new sections relating to political subdivisions, with an existing penalty provision, and an effective date for certain sections.

Was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Lager	LeVota	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

## NAYS—Senators

Emery	Kraus	Lamping—3
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Pearce moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 492**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Schaaf, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **SB 612**, with **HA 1**, **HA 2**, **HA 3**, **HA 4** and **HA 5**, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 612

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 612, with House Amendment Nos. 1, 2, 3, 4, and 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 612, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 612;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Rob Schaaf

/s/ Will Kraus

/s/ John Lamping

/s/ Scott Sifton

/s/ Paul LeVota

FOR THE HOUSE:

/s/ Denny Hoskins

/s/ Rocky Miller

Randy Dunn

Senator Schaaf moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schaaf, **CCS** for **SCS** for **SB 612**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 612

An Act to repeal sections 143.183, 143.451, 144.021, and 144.054, RSMo, and to enact in lieu thereof four new sections relating to taxation.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Dixon, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 621**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 621

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 621, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 621, as

amended;

2. That the Senate recede from its position on Senate Bill No. 621;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 621 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bob Dixon

/s/ Eric Schmitt

/s/ Kurt Schaefer

/s/ Jolie Justus

/s/ Joseph P. Keaveny

FOR THE HOUSE:

/s/ Stan Cox

/s/ Robert Cornejo

/s/ Mike Colona

Senator Dixon moved that the above conference committee report be adopted.

At the request of Senator Dixon, the above motion was withdrawn, which placed the bill back on the Calendar.

Senator Dempsey moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HB 1504**, and grant the House a conference thereon, which motion prevailed.

Senator Brown, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 716**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 716

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, with House Amendment Nos. 1, 2, 3, 4, 5, 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7, as amended, House Amendment No. 1 to House Amendment No. 8, House Amendment No. 8, as amended, and House Amendment Nos. 9, 10, and 11, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, as amended;

2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 716;

3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dan Brown

/s/ Eric Schmitt

FOR THE HOUSE:

/s/ Dwight Scharnhorst

/s/ Keith Frederick

/s/ David Sater

/s/ Chris Kelly

/s/ Scott Sifton

/s/ Gina Walsh

Senator Brown moved that the above conference committee report no. 2 be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senators

Dempsey Lager—2

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Brown, **CCS No. 2** for **HCS** for **SCS** for **SB 716**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 716

An Act to repeal sections 174.335, 195.070, 334.035, 334.735, 338.010, 376.1363, and 630.167, RSMo, and to enact in lieu thereof sixteen new sections relating to public health.

Was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SS** for **SCS** for **HCS** for **HB 1302**; **SCS** for **HB 1468**; **HCS** for **HB 1231**, with **SCS**; **HCS** for **HBs 1179** and **1765**, with **SCS**; **SCS** for **HB 1390**, as amended; **SCS** for **HCS** for **HB 1296**, as amended; **HCS** for **HB 1689**, with **SCS**; **HB 2163**; **HCS** for **HB 2141**, with **SCS**; and **HB 1906**, with **SCS**, begs leave to report that it has considered the same and recommends that the bills do pass.

### HOUSE BILLS ON THIRD READING

Senator Pearce moved that **SCS** for **HB 1468** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SCS** for **HB 1468** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

#### NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton
Walsh—9							

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Lager moved that **SS** for **SCS** for **HCS** for **HB 1302** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SS** for **SCS** for **HCS** for **HB 1302** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Kraus—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

**CONCURRENT RESOLUTIONS**

Senator Libla moved that **HCR 9** be taken up for adoption, which motion prevailed.

Senator Libla offered **SS** for **HCR 9**:

## SENATE SUBSTITUTE FOR

## HOUSE CONCURRENT RESOLUTION NO. 9

WHEREAS, in 1959, Senate Resolution No. 33 and House Resolution No. 19, recognizing the importance of the extraordinary manifestations of nature and recreational attributes of the Current and Jacks Fork Riverways, requested Congress to enact legislation to preserve the natural resources and provide recreational development and other improvements for the public use; and

WHEREAS, in 1964, Congress answered Missouri's request by enacting legislation to establish the Ozark National Scenic Riverways; and

WHEREAS, the riverways within the Ozark National Scenic Riverways are, and remain, public highways of the State of Missouri, subject to concurrent jurisdiction between the State of Missouri and the United States under Missouri Senate Bill No. 362 enacted in 1971; and

WHEREAS, in 2005, the National Park Service began researching for the purpose of drafting a new general management plan for the Ozark National Scenic Riverways; and

WHEREAS, the National Park Service is advocating the "Preferred Alternative" option of the general management plan; and

WHEREAS, the goal of the "Preferred Alternative" option of the general management plan is to shut down public access points to riverways, eliminate motorized boat traffic from certain areas, further restrict boat motor horsepower in other areas, close several gravel bars, and propose that additional areas be designated as federal wilderness; and

WHEREAS, the "No-Action Alternative" option of the general management plan is an appropriate balance between resource preservation and opportunities for recreational use; and

WHEREAS, the general management plan will guide decisions related to the Ozark National Scenic Riverways for the next 15 to 20 years; and

WHEREAS, tourism is one of the most critical components of our rural economy; and

WHEREAS, thousands of hikers, campers, boaters, hunters, fishermen, and horseback riders visit these areas annually generating irreplaceable tax revenue; and

WHEREAS, any further limitations on the access to these riverways would severely impact this local economy;

WHEREAS, the Missouri Conservation Commission is charged with the control, management, restoration, conservation, and regulation of bird, fish, game, forestry, and all wildlife resources of the state, including hatcheries, sanctuaries, refuges, reservations, and all other property owned, acquired, or used for such purposes; and

WHEREAS, in September of 2009, the Missouri Department of Conservation recommended that "hunting, fishing, and trapping continue to be allowed through the Ozark National Scenic Riverways except in highly developed areas where a reasonable safety zone for public protection may be required";

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby strongly urge the United States Department of the Interior National Park Service to pursue one of the following three options in regard to the Ozark National Scenic Riverways:

1. Choose the "No-Action Alternative" option of the general management plan;
2. Enter into negotiations with the State of Missouri, Department of Conservation for the return of the Ozark National Scenic Riverways



to the State of Missouri so that the land will continued to be used for its original and intended purpose; or

3. Enter into a contract with the State of Missouri, Department of Conservation for the management, operation, and maintenance of the Ozark National Scenic Riverways; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the President Pro Tempore of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the United States Department of the Interior, each member of the Missouri Congressional Delegation, the Director of the National Park Service, the Superintendent of the Ozark National Scenic Riverways, the Director of the Missouri Department of Conservation, and Governor Jay Nixon.

Senator Libla moved that **SS** for **HCR 9** be adopted, which motion prevailed.

On motion of Senator Libla, **HCR 9**, as amended by the **SS** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	LeVota	Nasheed	Sifton	Walsh—8
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Absent—Senator Justus—1

Absent with leave—Senators—None

Vacancies—2

Senator Pearce moved that **HCS** for **HCR 13** be taken up for adoption, which motion prevailed.

On motion of Senator Pearce, **HCS** for **HCR 13** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Dempsey—1

Absent with leave—Senators—None

Vacancies—2

Senator Wallingford moved that **HCS** for **HCR 25** be taken up for adoption, which motion prevailed.

On motion of Senator Wallingford, **HCS** for **HCR 25** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
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Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Dempsey—1

Absent with leave—Senators—None

Vacancies—2

Senator Romine moved that **HCR 30** be taken up for adoption, which motion prevailed.

On motion of Senator Romine, **HCR 30** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	LeVota	Libla	Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—24

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	Nasheed	Sifton	Walsh—8
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Sater moved that **HCS** for **HCR 38** be taken up for adoption, which motion prevailed.

On motion of Senator Sater, **HCS** for **HCR 38** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Kehoe	Kraus	Lager	Lamping
Libla	Munzlinger	Nieves	Parson	Pearce	Romine	Sater	Schaaf
Schaefer	Schmitt	Wallingford	Wasson—20				

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton
Walsh—9							

Absent—Senators

Dempsey	Richard	Silvey—3
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Absent with leave—Senators—None

Vacancies—2

Senator Kehoe moved that **HCS** for **HCR 45** be taken up for adoption, which motion prevailed.

On motion of Senator Kehoe, **HCS** for **HCR 45** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Wallingford	Walsh	Wasson—29			

NAYS—Senators—None

Absent—Senators

Dempsey      Richard      Silvey—3

Absent with leave—Senators—None

Vacancies—2

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 656**, entitled:

An Act to repeal sections 21.750, 84.340, 571.030, 571.080, 571.101, 571.107, 571.111, 571.117, 590.010, and 590.205, RSMo, and to enact in lieu thereof fifteen new sections relating to firearms, with penalty provisions and an emergency clause for certain sections.

With House Amendment Nos. 1, 2, 3 and 4.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 656, Page 10, Section 571.101, Lines 5 to 7, by deleting all of said lines and inserting in lieu thereof the following:

“the applicant’s person or within a vehicle. A concealed carry permit shall be valid [for a period of five years] from the date of issuance or renewal **until five years from the last day of the month in which the permit was issued or renewed.** The concealed carry permit is valid throughout this state. **Although**”; and

Further amend said section and page, Lines 12 to 14, by deleting all of said lines and inserting in lieu thereof the following:

“**from licensed dealers.** A concealed carry endorsement issued prior to August 28, 2013, shall continue [for a period of three years] from the date of issuance or renewal **until three years from the last day of the month in which the endorsement was issued or renewed** to authorize the carrying of a concealed”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 656, Page 26, Section 571.510, Line 2, by

deleting the words, “**by or**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 656, Page 26, Section 571.510, Line 23, by inserting immediately after said line the following:

“575.153. 1. A person commits the crime of disarming a peace officer, as defined in section [590.100] **590.010**, or a correctional officer if such person intentionally:

(1) Removes a firearm [or other], deadly weapon, **or less-lethal weapon, to include blunt impact, chemical or conducted energy devices, used in the performance of his or her official duties** from the person of a peace officer or correctional officer while such officer is acting within the scope of his or her official duties; or

(2) Deprives a peace officer or correctional officer of such officer’s use of a firearm [or], deadly weapon, **or any other equipment described in subdivision (1) of this subsection** while the officer is acting within the scope of his or her official duties.

2. The provisions of this section shall not apply when:

(1) The defendant does not know or could not reasonably have known that the person he or she disarmed was a peace officer or correctional officer; or

(2) The peace officer or correctional officer was engaged in an incident involving felonious conduct by the peace officer or correctional officer at the time the defendant disarmed such officer.

3. Disarming a peace officer or correctional officer is a class C felony.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 656, Page 3, Section 160.665, Line 8, by inserting immediately after the word “firearms” the following:

“**or a self-defense spray device**”; and

Further amend said line, by inserting immediately after “district.” the following:

“**A self-defense spray device shall mean any device that is capable of carrying, and that rejects, releases, or emits, a nonlethal solution capable of incapacitating a violent threat.**”; and

Further amend Line 9, by inserting immediately after the word “firearm” the following:

“**or device**”; and

Further amend Line 10, by striking the word “such” and inserting in lieu thereof the following:

“**that**”; and

Further amend said line, by inserting immediately after the word “firearm” the following:

“**or device**”; and

Further amend Line 23, by inserting immediately after the word “administrator” the following:

**“seeking to carry a concealed firearm on school property”;** and

Further amend said bill and section, Page 4, Line 58, by inserting after all of said line the following:

**“11. Before a school district may designate a teacher or administrator as a school protection officer, the school board shall hold a public hearing on whether to allow such designation. Notice of the hearing shall be published at least fifteen days before the date of the hearing in a newspaper of general circulation within the city or county in which the school district is located. The board may determine at a closed meeting as “closed meeting” is defined under section 610.010 whether to authorize the designated school protection officer to carry a concealed firearm or a self-defense spray device.”;** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 734**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 735**.

Bill ordered enrolled.

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HB 1504**: Senators Dempsey, Schmitt, Romine, Justus and Keaveny.

### **HOUSE BILLS ON THIRD READING**

**HB 1454**, introduced by Representative Swan, et al, entitled:

An Act to repeal section 67.5098 as enacted by senate substitute for senate committee substitute for senate bill no. 650, ninety seventh general assembly, second regular session, and to enact in lieu thereof one new section relating to communications infrastructure deployment.

Was taken up by Senator Lager.

Senator Parson offered **SA 1**, which was read:

#### **SENATE AMENDMENT NO. 1**

Amend House Bill No. 1454, Page 1, Section A, Line 4, by inserting immediately after said line the following:

**“59.161. It shall hereafter be the duty of the recorder of deeds, in any county of the first**

**classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants, to keep his or her office open for the transaction of business between the hours of nine o'clock in the morning and nine o'clock in the evening Monday through Saturday. Notwithstanding any provision of law to the contrary, the recorder of deeds in such county shall be physically present in the office during the hours the office is open for business on Saturday.”; and**

Further amend the title and enacting clause accordingly.

Senator Parson moved that the above amendment be adopted.

At the request of Senator Parson, **SA 1** was withdrawn.

On motion of Senator Lager, **HB 1454** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

At the request of Senator Pearce, **HCS** for **HB 1689**, with **SCS**, was placed on the Informal Calendar.

**HB 1553**, introduced by Representative Dohrman, et al, with **SCS**, entitled:

An Act to repeal section 182.802, RSMo, and to enact in lieu thereof one new section relating to public library district sales taxes.

Was taken up by Senator Pearce.

**SCS** for **HB 1553**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1553

An Act to repeal sections 50.660, 50.783, 67.281, 82.1025, 82.1027, 82.1028, 82.1029, 82.1030, 94.579, 162.481, 182.802, 190.335, 190.339, and 349.045, RSMo, and to enact in lieu thereof seventeen new sections relating to political subdivisions.

Was taken up.

Senator Pearce moved that **SCS** for **HB 1553** be adopted.

Senator Lager offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for House Bill No. 1553, Page 25, Section 349.045, Line 53, by inserting after all of said line the following:

“483.140. It shall be the special duty of every judge of a court of record to examine into and superintend the manner in which the rolls and records of the court are made up and kept; to prescribe orders that will procure uniformity, regularity and accuracy in the transaction of the business of the court; to require that the records and files be properly maintained and entries be made at the proper times as required by law or supreme court rule, and that the duties of the clerks be performed according to law and supreme court rule; and if any clerk fail to comply with the law, the court shall proceed against him as for a misdemeanor. **The provisions of this section shall not be construed to permit the adoption of any local court rule that grants a judge the discretion to remove or direct the removal of any pleading, file, or communication from a court file or record without the agreement of all parties.**”; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Pearce offered **SA 2**:

**SENATE AMENDMENT NO. 2**

Amend Senate Committee Substitute for House Bill No. 1553, Page 4, Section 67.281, Line 20, by inserting after all of said line the following:

“72.401. 1. If a commission has been established pursuant to section 72.400 in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a

population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to 105.498 and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, and any voluntary annexation approved by municipal ordinance provided that the municipality



owns the area to be annexed, that the area is contiguous with the municipality, and that the area is utilized only for parks and recreation purposes, shall not be subject to commission review. Such a boundary adjustment or annexation is not prohibited by the existence of an established unincorporated area.

**9. Any annexation of property or defined areas of properties approved by a majority of property owners residing thereon and by ordinance of any municipality that is a service provider for both the water and sanitary sewer within the municipality shall be effective as provided in the annexation ordinance and shall not be subject to commission review. Such annexation shall not be prohibited by the existence of an established unincorporated area.”; and**

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

Senator LeVota offered **SA 3**:

**SENATE AMENDMENT NO. 3**

Amend Senate Committee Substitute for House Bill No. 1553, Page 4, Section 67.281, Line 20, by inserting immediately after all of said line the following:

“82.300. 1. Any city with a population of [four] **one** hundred thousand or more inhabitants [which is located in more than one county] may enact all needful ordinances for preserving order, securing persons or property from violence, danger and destruction, protecting public and private property and for promoting the general interests and ensuring the good government of the city, and for the protection, regulation and orderly government of parks, public grounds and other public property of the city, both within and beyond the corporate limits of such city; and to prescribe and impose, enforce and collect fines, forfeitures and penalties for the breach of any provisions of such ordinances and to punish the violation of such ordinances by fine or imprisonment, or by both fine and imprisonment; but no fine shall exceed one thousand dollars nor imprisonment exceed twelve months for any such offense, except as provided in subsection 2 of this section.

2. Any city with a population of [four] **one** hundred thousand or more inhabitants [which is located in more than one county] which operates a publicly owned treatment works in accordance with an approved pretreatment program pursuant to the federal Clean Water Act, 33 U.S.C. 1251, et seq. and chapter 644 may enact all necessary ordinances which require compliance by an industrial user with any pretreatment standard or requirement. Such ordinances may authorize injunctive relief or the imposition of a fine of at least one thousand dollars but not more than five thousand dollars per violation for noncompliance with such pretreatment standards or requirements. For any continuing violation, each day of the violation shall be considered a separate offense.

3. Any city with a population of more than [four] **one** hundred thousand inhabitants may enact all needful ordinances to protect public and private property from illegal and unauthorized dumping and littering, and to punish the violation of such ordinances by a fine not to exceed one thousand dollars or by imprisonment not to exceed twelve months for each offense, or by both such fine and imprisonment.

4. Any city with a population of more than [four] **one** hundred thousand inhabitants may enact all needful ordinances to protect public and private property from nuisance and property maintenance code violations, and to punish the violation of such ordinances by a fine not to exceed one thousand dollars or by imprisonment not to exceed twelve months for each offense, or by both such fine and imprisonment.”; and

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 4**:

**SENATE AMENDMENT NO. 4**

Amend Senate Committee Substitute for House Bill No. 1553, Page 15, Section 94.579, Line 158, by inserting after all of said line the following:

“99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) “Blighted area”, an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) “Collecting officer”, the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) “Conservation area”, any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) “Economic activity taxes”, the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

(5) “Economic development area”, any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for

development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

- (a) Discourage commerce, industry or manufacturing from moving their operations to another state; or
- (b) Result in increased employment in the municipality; or
- (c) Result in preservation or enhancement of the tax base of the municipality;

(6) “Gambling establishment”, an excursion gambling boat as defined in section 313.800 and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

(7) “Greenfield area”, any vacant, unimproved, or agricultural property that is located wholly outside the incorporated limits of a city, town, or village, or that is substantially surrounded by contiguous properties with agricultural zoning classifications or uses unless said property was annexed into the incorporated limits of a city, town, or village ten years prior to the adoption of the ordinance approving the redevelopment plan for such greenfield area;

(8) “Municipality”, a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, “municipality” applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

(9) “Obligations”, bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

(10) “Ordinance”, an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

(11) “Payment in lieu of taxes”, those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;

(12) “Redevelopment area”, an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, or a combination thereof, which area includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment project;

(13) “Redevelopment plan”, the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the

redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

(14) “Redevelopment project”, any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

(15) “Redevelopment project costs” include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

(a) Costs of studies, surveys, plans, and specifications;

(b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;

(c) Property assembly costs, including, but not limited to[.];

**a.** Acquisition of land and other property, real or personal, or rights or interests therein[.]; **and**

**b.** Demolition of buildings, and the clearing and grading of land;

(d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;

(e) Initial costs for an economic development area;

(f) Costs of construction of public works or improvements;

(g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;

(h) All or a portion of a taxing district’s capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;

(i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;

(j) Payments in lieu of taxes;

(16) “Special allocation fund”, the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

(17) “Taxing districts”, any political subdivision of this state having the power to levy taxes;

(18) “Taxing districts’ capital costs”, those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and

(19) “Vacant land”, any parcel or combination of parcels of real property not used for industrial,

commercial, or residential buildings.

99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing as required in subsection 4 of section 99.820 and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing; provided, if the commission is created under subsection 3 of section 99.820, the hearing shall not be continued for more than thirty days beyond the date on which it is originally opened unless such longer period is requested by the chief elected official of the municipality creating the commission and approved by a majority of the commission. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. [Effective January 1, 2008,] If, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality. **For plans, projects, designations, or amendments approved by a municipality over the recommendation in opposition by the commission formed under subsection 3 of section 99.820 or a commission located in any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants, the economic activity taxes and payments in lieu of taxes generated by such plan, project, designation, or amendment shall not exceed the costs associated with those contained in subparagraph b of paragraph (c) of subdivision (15) of section 99.805 per redevelopment project.**

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public

improvements, but in no case shall it include buildings.”; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Pearce moved that **SCS** for **HB 1553**, as amended, be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS** for **HB 1553**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Keaveny
Kehoe	Lager	Lamping	LeVota	Libla	Munzlinger	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey
Wallingford	Wasson—26						

NAYS—Senators

Emery	Kraus	Nieves—3
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Absent—Senators

Justus	Nasheed	Walsh—3
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Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### PRIVILEGED MOTIONS

Senator Dixon moved that the Senate refuse to adopt the Conference Committee Report on **HCS** for **SB 621**, as amended, and request the House to grant the Senate a further conference thereon, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 504**, entitled:

An Act to repeal section 536.016, RSMo, and to enact in lieu thereof one new section relating to the availability of proposed rules on the internet.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 504, Page 2, Section 536.016, Line 20, by inserting after word “**register**” the words “**and all material incorporated by reference**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 745**.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 745, Pages 3 and 4, Section 221.105, Lines 1 to 45, by removing all of said section and lines from the bill; and

Further amend said bill, Pages 4 and 5, Section 488.5026, Lines 1 to 31, by removing all of said section and lines from the bill; and

Further amend said bill, Pages 30 and 31, Section B, Lines 1 to 7, by removing all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 745, Page 11, Section 571.101, Lines 6 through 7, by deleting all of said lines and inserting in lieu thereof the following:

“or within a vehicle. A concealed carry permit shall be valid [for a period of five years] from the date of issuance or renewal **until five years from the last day of the month in which**”; and

Further amend said bill and section, Page 12, Lines 15 through 16, by deleting all of said lines and inserting in lieu thereof the following:

“concealed carry endorsement issued prior to August 28, 2013, shall continue [for a period of three years] from the date of issuance or renewal **until three years from the last day of the**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

President Pro Tem Dempsey assumed the Chair.

**REFERRALS**

President Pro Tem Dempsey referred **HCR 19**; **HCR 22**; **HCR 48**; and **HCS** for **HCR 49** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

**REPORTS OF STANDING COMMITTEES**

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the

Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1078**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Nieves, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **HCS** for **HBs 1665** and **1335**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 1374**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 1225**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 1304**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

## **RESOLUTIONS**

Senator Schmitt offered Senate Resolution No. 2077, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Dale Koch, St. Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 2078, regarding Bradley Craigmyle, which was adopted.

Senator Wasson offered Senate Resolution No. 2079, regarding Bob Hammerschmidt, Springfield, which was adopted.

Senator Romine offered Senate Resolution No. 2080, regarding Kevin Abts, Ste. Genevieve, which was adopted.

Senator Romine offered Senate Resolution No. 2081, regarding Mary Looney, which was adopted.

Senator Romine offered Senate Resolution No. 2082, regarding Lisa Bates, which was adopted.

Senator Romine offered Senate Resolution No. 2083, regarding Melanie Dillard, which was adopted.

Senator Romine offered Senate Resolution No. 2084, regarding Randy Huff, which was adopted.



## **INTRODUCTIONS OF GUESTS**

Senator Kehoe introduced to the Senate, the Physician of the Day, Joyce Wilson, M.D., Jefferson City.

On motion of Senator Kehoe, the Senate adjourned under the rules.

## **SENATE CALENDAR**

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SIXTY-EIGHTH DAY—WEDNESDAY, MAY 14, 2014

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## **FORMAL CALENDAR**

### **HOUSE BILLS ON SECOND READING**

HCS for HJR 75

### **THIRD READING OF SENATE BILLS**

SS for SCS for SB 666-Schmitt (In  
Fiscal Oversight)

SS for SB 538-Keaveny (In Fiscal Oversight)

SS for SCS for SB 850-Munzlinger (In  
Fiscal Oversight)

### **SENATE BILLS FOR PERFECTION**

1. SB 858-Kraus
2. SB 669-Schaaf
3. SB 821-Schaefer
4. SB 823-Dixon, et al, with SCS
5. SB 973-Brown
6. SB 815-Pearce, with SCS

7. SBs 798 & 514-Emery, with SCS
8. SB 865-Nieves
9. SB 619-Nieves, with SCS
10. SB 531-Nasheed
11. SB 820-Schaefer

### **HOUSE BILLS ON THIRD READING**

1. HJR 48-Solon, et al (Wallingford) (In  
Fiscal Oversight)
2. HB 1865-Redmon, et al, with SCS  
(Libla) (In Fiscal Oversight)
3. HB 1539-Kelley (127), et al, with SCS  
(Dixon)

4. HCS for HB 1231, with SCS (Dixon)
5. HCS for HB 1831, with SCS (Schmitt)
6. HCS for HBs 1179 & 1765, with SCS (Dixon)
7. HB 1707-Conway (Kehoe)
8. HB 2163-Riddle (Kehoe)
9. HB 1693-Barnes (Schaefer)

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| 10. HB 1692-Korman, with SCS (Justus)                 | 15. HB 1574-Hoskins (Dixon)                |
| 11. HCS for HB 1614, with SCS (Schaefer)              | 16. HCS for HB 1078, with SCS              |
| 12. HB 1883-Flanigan and Allen, with SCA 1<br>(Dixon) | 17. HCS for HBs 1665 & 1335, with SCS      |
| 13. HB 1906-Schieber, with SCS (Dixon)                | 18. HCS for HB 1374, with SCS (Cunningham) |
| 14. HCS for HB 2141, with SCS (Kehoe)                 | 19. HCS for HB 1225, with SCS              |
|   | 20. HCS for HB 1304, with SCS              |

## INFORMAL CALENDAR

### SENATE BILLS FOR PERFECTION

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|--|---|
| SB 490-Lager and Kehoe, with SCS                         | SB 739-Romine, with SCS, SS for SCS, SA 1<br>& SA 1 to SA 1 (pending) |
| SB 494-Pearce, with SS (pending)                         | SB 755-Wallingford  |
| SB 501-Keaveny   | SB 762-Schaefer, with SCS   |
| SB 518-Sater, with SCS, SA 2 & SA 1 to<br>SA 2 (pending) | SB 769-Pearce, with SCS   |
| SB 519-Sater, with SS & SA 1 (pending)                   | SB 770-Wallingford, with SCS  |
| SS for SB 543-Munzlinger                                 | SBs 787 & 804-Justus, with SCS  |
| SB 550-Sater, with SCS                                   | SB 790-Dixon  |
| SB 553-Emery, with SCS, SS for SCS & SA 1<br>(pending)   | SB 814-Brown  |
| SB 555-Nasheed, with SS & SA 1 (pending)                 | SB 819-Wallingford, with SCS  |
| SB 566-Sifton  | SB 830-Parson   |
| SB 573-Munzlinger, with SCS                              | SBs 836 & 800-Munzlinger, with SCS                                    |
| SB 578-Kraus   | SB 846-Richard  |
| SB 589-Brown, with SCS, SA 2 & SA 1 to<br>SA 2 (pending) | SB 848-LeVota, with SCS   |
| SB 617-Parson, with SCS, SS for SCS & SA 1<br>(pending)  | SB 875-Sater, with SCS  |
| SB 634-Parson, with SCS                                  | SB 887-Schaefer   |
| SB 641-Emery   | SB 888-Parson, with SCS   |
| SB 644-LeVota  | SB 912-Wasson and Justus, with SCS (pending)                          |
| SB 659-Wallingford, with SCS                             | SB 919-Justus   |
| SB 663-Munzlinger, with SCS                              | SB 966-Lager  |
| SB 671-Sater   | SJR 25-Lager, with SS, SA 2 & SA 1 to SA 2<br>(pending)               |
| SB 712-Walsh, with SCS & SS for SCS (pending)            | SJR 26-Lager, with SS & SA 1 (pending)                                |
| SB 724-Parson  | SJR 34-Emery  |
|  | SJR 42-Schmitt, with SS (pending)                                     |

HOUSE BILLS ON THIRD READING

HCS for HB 1044, with SCS (Lamping)	HB 1455-Hoskins and Fraker (Kraus)
HB 1073-Dugger, et al (Kraus)	HCS for HB 1501, with SS & SA 6 (pending)
HB 1126-Dugger and Entlicher, with SCS & SA 6 (pending) (Kraus)	(Schmitt)
HCS for HB 1156 (Pearce)	HB 1506-Franklin, et al (Brown)
HB 1173-Burlison, et al, with SA 1 & SA 1 to SA 1 (pending) (Brown)	HCS for HB 1514, with SCS (Parson)
HCS for HB 1189, with SCA 1 (Kehoe)	HCS for HB 1557, with SS, SA 1 & SSA 1 for SA 1 (pending) (Munzlinger)
HCS for HB 1192, with SCS (Brown)	HB 1617-Rehder, et al, with SCS, SS#2 for SCS, SA 1 & SA 2 to SA 1 (pending)
HCS for HB 1204, with SCS (Lager)	(Brown)
HCS for HB 1261 (Kraus)	HCS for HB 1689, with SCS (Pearce)
HCS for HB 1295, with SCS (Kraus)	HCS for HBs 1861 & 1864, with SCS (Munzlinger)
SCS for HCS for HB 1296, as amended (Kraus)	HCS for HB 1918, with SA 1 (pending) (Lager)
HCS for HB 1326, with SCS (Kehoe)	HCS for HB 1937, with SCS (Munzlinger)
HCS for HB 1336, with SCS (Wasson)	HB 2028-Peters, et al (Schmitt)
HCS for HB 1371, with SCS (Justus)	HB 2079-Funderburk, with SS (pending) (Lager)
HB 1388-Cornejo, et al, with SCS (Schaefer)	HCS for HJR 47, with SA 1 & SA 1 to SA 1 (pending) (Kraus)
SCS for HB 1390-Thomson, et al, as amended (Pearce)	HJR 72-Richardson, et al (Silvey)
HB 1430-Jones (110), et al (Schaaf)	

CONSENT CALENDAR

House Bills

Reported 4/15

HCS for HB 1510 (Brown)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 504-Munzlinger, with HCS, as amended	SB 656-Kraus, with HCS, as amended
SCS for SB 526-Cunningham, with HA 1, HA 2, HA 3, as amended, HA 4, as amended, HA 5 & HA 6	SCS for SB 723-Parson, with HCS, as amended
	SS for SB 745-Munzlinger, with HA 1 & HA 2
	SB 859-Brown, with HCS

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

In Conference

SCS for SBs 493, 485, 495, 516, 534, 545, 595,  
616 & 624-Pearce, with HCS, as amended  
SCS for SB 612-Schaaf, with HA 1, HA 2,  
HA 3, HA 4 & HA 5 (Senate adopted CCR  
and passed CCS)  
SB 614-Dixon, with HCS, as amended  
SB 621-Dixon, with HCS, as amended  
(Senate requests further conference)  
SB 662-Kraus, with HCS, as amended  
(Senate adopted CCR and passed CCS)  
SCS for SB 672-Parson, with HCS, as amended  
(Senate adopted CCR#2 and passed CCS#2)

SB 693-Parson, with HCS, as amended  
SCS for SB 716-Brown, with HCS, as amended  
(Senate adopted CCR#2 and passed CCS#2)  
HCS for HB 1439, with SS for SCS, as  
amended (Nieves)  
HB 1490-Bahr, et al, with SS for SCS, as  
amended (Emery) (House adopted CCR  
and passed CCS)  
HB 1504-Zerr, with SS for SCS (Dempsey)

Requests to Recede or Grant Conference

SCS for SB 492-Pearce, with HCS, as amended  
(Senate requests House recede or grant  
conference)

RESOLUTIONS

Reported from Committee

HCR 29-Scharnhorst

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# Journal of the Senate

## SECOND REGULAR SESSION

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**SIXTY-EIGHTH DAY—WEDNESDAY, MAY 14, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“We glory in tribulations also, knowing that tribulation produces patience and patience produces endurance and endurance produces hope and hope does not disappoint us.” (Romans 5:3-4)

Gracious God, we know the cycles of life and the endless vexations in our work here and among people. We also know that such tribulations help us grow in Godly patience and we are better able to endure what comes our way and because of it we experience hope for a better future. With such knowledge, we ask for Your comfort and support for Senator Cunningham and his family at the death of his mother; we do so with the memory of Your goodness and mercy and commit her to Your loving care. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

The Lieutenant Governor was present.

The Senate observed a moment of silence in memory of Anna Cunningham.

**RESOLUTIONS**

Senator Dempsey offered Senate Resolution No. 2085, regarding DaiVaugh Jamaal Hughes, Lake Saint Louis, which was adopted.

Senator Dempsey offered Senate Resolution No. 2086, regarding Jordan Dominique Clark, Wentzville, which was adopted.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SS** for **SCS** for **HB 1504**. Representatives: Rowden, Conway (104), and Kratky.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House grants the Senate a conference on **HCS** for **SCS** for **SB 492**, as amended. Also, the Speaker has appointed the following conferees to act with a like committee from the Senate. Representatives: Thomson, Swan, and Pierson.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to concur in **SS** for **HCS** for **HB 1685** and request the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 615**, entitled:

An Act to repeal sections 49.272, 56.807, 476.056, 476.385 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session, 476.385 as enacted by conference committee substitute for senate substitute for senate committee substitute for house bill no. 683, ninety-fifth general assembly, first regular session, 488.012, 488.014, 488.026, 488.426, and 488.607, RSMo, and to enact in lieu thereof eleven new sections relating to court costs.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10.

**HOUSE AMENDMENT NO. 1**

Amend House Committee Substitute for Senate Bill No. 615, Page 1, In the Title, Line 7, by deleting the phrase “court costs” and inserting in lieu thereof the phrase “the administration of justice”; and

Further amend said bill, Page 9, Section 476.385, Line 186, by inserting after all of said section and line the following:

“478.320. 1. In counties having a population of thirty thousand or less, there shall be one associate circuit judge. In counties having a population of more than thirty thousand and less than one hundred

thousand, there shall be two associate circuit judges. In counties having a population of one hundred thousand or more, there shall be three associate circuit judges and one additional associate circuit judge for each additional one hundred thousand inhabitants.

2. [When the office of state courts administrator indicates in an annual judicial weighted workload model for three consecutive years or more the need for four or more full-time judicial positions in any judicial circuit having a population of one hundred thousand or more, there shall be one additional associate circuit judge position in such circuit for every four full-time judicial positions needed as indicated in the weighted workload model. In a multicounty circuit, the additional associate circuit judge positions shall be apportioned among the counties in the circuit on the basis of population, starting with the most populous county, then the next most populous county, and so forth.

3.] For purposes of this section, notwithstanding the provisions of section 1.100, population of a county shall be determined on the basis of the last previous decennial census of the United States; and, beginning after certification of the year 2000 decennial census, on the basis of annual population estimates prepared by the United States Bureau of the Census, provided that the number of associate circuit judge positions in a county shall be adjusted only after population estimates for three consecutive years indicate population change in the county to a level provided by subsection 1 of this section.

[4.] 3. Except in circuits where associate circuit judges are selected under the provisions of Sections 25(a) to (g) of Article V of the constitution, the election of associate circuit judges shall in all respects be conducted as other elections and the returns made as for other officers.

[5.] 4. In counties not subject to Sections 25(a) to (g) of Article V of the constitution, associate circuit judges shall be elected by the county at large.

[6.] 5. No associate circuit judge shall practice law, or do a law business, nor shall he or she accept, during his or her term of office, any public appointment for which he or she receives compensation for his or her services.

[7.] 6. No person shall be elected as an associate circuit judge unless he or she has resided in the county for which he or she is to be elected at least one year prior to the date of his or her election; provided that, a person who is appointed by the governor to fill a vacancy may file for election and be elected notwithstanding the provisions of this subsection.

478.437. [The circuit court of the county of St. Louis, comprising circuit number twenty-one, shall be composed of nineteen divisions and nineteen judges] **1. Beginning in fiscal year 2015, there shall be twenty circuit judges in the twenty-first judicial circuit. These judges shall sit in twenty divisions, and each of the judges shall separately try causes, exercise the powers and perform all the duties imposed upon circuit judges.**

**2. Beginning in fiscal year 2015, there shall be one additional associate circuit judge position in the twenty-first judicial circuit. This associate circuit judgeship shall not be included in the statutory formula for authorizing additional judgeships per county under section 478.320.**

478.464. [1.] In the sixteenth judicial circuit, [associate circuit divisions shall hereafter be numbered beginning with the number 25:

- (1) Division 101 shall hereafter be division 25;
- (2) Division 102 shall hereafter be division 26;

- (3) Division 103 shall hereafter be division 27;
- (4) Division 104 shall hereafter be division 28;
- (5) Division 105 shall hereafter be division 29;
- (6) Division 106 shall hereafter be division 30;
- (7) Division 107 shall hereafter be division 31; and
- (8) Division 108 shall hereafter be division 32.

2. Twelve months after construction of two new courtrooms in Independence is completed, there shall be one additional associate circuit judge in the sixteenth judicial circuit, to be known as division 33. The presiding judge of such circuit shall certify to the state of administration office the actual date of completion of said construction.

**3.] there shall be ten associate circuit judges. These judges shall sit in ten divisions, which shall be numbered beginning with the number 25. Divisions 25, 26, 27, 29, and 31 shall sit in Kansas City and divisions 28, 30, 32, and 33 shall sit in Independence. Division 34 shall sit in the location determined by the court en banc. The tenth associate circuit judgeship shall not be included in the statutory formula for authorizing additional associate circuit judgeships per county under section 478.320.**

478.513. 1. There shall be five circuit judges in the thirty-first judicial circuit [consisting of the county of Greene]. These judges shall sit in divisions numbered one, two, three, four and five.

2. The circuit judge in division three shall be elected in 1980. The circuit judges in divisions one, four and five shall be elected in 1982. The circuit judge in division two shall be elected in 1984.

**3. Beginning in fiscal year 2015, there shall be one additional associate circuit judge in the thirty-first judicial circuit, and there shall continue to be the associate judge position authorized in fiscal year 2014. Neither associate circuit judgeship shall be included in the statutory formula for authorizing additional associate circuit judgeships per county under section 478.320.**

478.600. 1. There shall be four circuit judges in the eleventh judicial circuit [consisting of the county of St. Charles]. These judges shall sit in divisions numbered one, two, three and four. Beginning on January 1, 2007, there shall be six circuit judges in the eleventh judicial circuit and these judges shall sit in divisions numbered one, two, three, four, five, and seven. The division five associate circuit judge position and the division seven associate circuit judge position shall become circuit judge positions beginning January 1, 2007, and shall be numbered as divisions five and seven.

2. The circuit judge in division two shall be elected in 1980. The circuit judge in division four shall be elected in 1982. The circuit judge in division one shall be elected in 1984. The circuit judge in division three shall be elected in 1992. The circuit judges in divisions five and seven shall be elected for a six-year term in 2006.

3. Beginning January 1, 2007, the family court commissioner positions in the eleventh judicial circuit appointed under section 487.020 shall become associate circuit judge positions in all respects and shall be designated as divisions nine and ten respectively. These positions may retain the duties and responsibilities with regard to the family court. The associate circuit judges in divisions nine and ten shall be elected in 2006 for full four-year terms.

4. Beginning on January 1, 2007, the drug court commissioner position in the eleventh judicial circuit



appointed under section 478.003 shall become an associate circuit judge position in all respects and shall be designated as division eleven. This position retains the duties and responsibilities with regard to the drug court. Such associate circuit judge shall be elected in 2006 for a full four-year term. This associate circuit judgeship shall not be included in the statutory formula for authorizing additional associate circuit judgeships per county under section 478.320.

**5. Beginning in fiscal year 2015, there shall be one additional associate circuit judge position in the eleventh judicial circuit. The associate circuit judge shall be elected in 2016, and such judicial position shall not be considered vacant or filled until January 1, 2017. This associate circuit judgeship shall not be included in the statutory formula for authorizing additional circuit judgeships per county under section 478.320.**

**478.740. 1. There shall be two circuit judges in the thirty-eighth judicial circuit. These judges shall sit in divisions numbered one and two.**

**2. The circuit judge in division two shall be elected in 2016, and such judicial position shall not be considered vacant or filled until January 1, 2017. The judge in division one shall be elected in 2018.”;**  
and

Further amend said bill, Pages 13-14, Section 488.2240, Lines 1-10, by deleting all of said section and lines from the bill; and

Further amend said bill, Page 14, Section 488.2240, Line 10, by inserting immediately after said line the following:

“610.021. Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:

(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record;

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public upon execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final

decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public. As used in this subdivision, the term “personal information” means information relating to the performance or merit of individual employees;

(4) The state militia or national guard or any part thereof;

(5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;

(6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;

(7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;

(8) Welfare cases of identifiable individuals;

(9) Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;

(10) Software codes for electronic data processing and documentation thereof;

(11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;

(12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;

(13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such, and the names of private sources donating or contributing money to the salary of a chancellor or president at all public colleges and universities in the state of Missouri and the amount of money contributed by the source;

(14) Records which are protected from disclosure by law;

(15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;

(16) Records relating to municipal hotlines established for the reporting of abuse and wrongdoing;

(17) Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; however, all final audit reports issued by the auditor are to be considered open records pursuant to this chapter;

(18) Operational guidelines, policies and specific response plans developed, adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health. Financial records related to the procurement of or expenditures relating to operational guidelines, policies or plans purchased with public funds shall be open. When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(19) Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, and information that is voluntarily submitted by a nonpublic entity owning or operating an infrastructure to any public governmental body for use by that body to devise plans for protection of that infrastructure, the public disclosure of which would threaten public safety:

(a) Records related to the procurement of or expenditures relating to security systems purchased with public funds shall be open;

(b) When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the receiving agency within ninety days of submission to determine if retention of the document is necessary in furtherance of a state security interest. If retention is not necessary, the documents shall be returned to the nonpublic governmental body or destroyed;

(20) The portion of a record that identifies security systems or access codes or authorization codes for security systems of real property;

(21) Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open;

(22) Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body; and

(23) Records submitted by an individual, corporation, or other business entity to a public institution of higher education in connection with a proposal to license intellectual property or perform sponsored research and which contains sales projections or other business plan information the disclosure of which may endanger the competitiveness of a business.

**(24) Individually identifiable records submitted to the office of the lieutenant governor concerning or relating to reports of waste, fraud, and abuse of public resources.**

Section B. Because of the necessity of constitutionally protected expedient access to the courts and ensuring the continued efficient administration of justice, sections 478.320, 478.437, 478.464, 478.513, 478.600, and 478.740 are deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution and this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE AMENDMENT NO. 2**

Amend House Committee Substitute for Senate Bill No. 615, Page 7, Section 476.385, Line 85, by inserting after all of said section and line the following:

“483.140. It shall be the special duty of every judge of a court of record to examine into and superintend the manner in which the rolls and records of the court are made up and kept; to prescribe orders that will procure uniformity, regularity and accuracy in the transaction of the business of the court; to require that the records and files be properly maintained and entries be made at the proper times as required by law or supreme court rule, and that the duties of the clerks be performed according to law and supreme court rule; and if any clerk fail to comply with the law, the court shall proceed against him as for a misdemeanor. **The provisions of this section shall not be construed to permit the adoption of any local court rules that grants a judge the discretion to remove or direct the removal of any pleading, file, or communication from a court file or record without notification to the parties and providing the parties an opportunity to respond.**”; and

Further amend said bill, Page 14, Section 488.2240, Line 10, by inserting after all of said section and line the following:

**Section 1. All courts that require mandatory e-filing shall accept, file, and docket a notice of entry of appearance filed by an attorney in a criminal case if such filing does not exceed one page in length and was sent by fax or regular mail. The provisions of this section shall expire on December 31, 2016.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE AMENDMENT NO. 3**

Amend House Committee Substitute for Senate Bill No. 615, Page 4, Section 56.807, Line 74, by inserting after all of said section and line the following:

“191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called “providers”, shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his or her record of that patient’s health history and treatment

rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient's condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a fee as provided in this section.

2. Health care providers may condition the furnishing of the patient's health care records to the patient, the patient's authorized representative or any other person or entity authorized by law to obtain or reproduce such records upon payment of a fee for:

(1) (a) Search and retrieval, in an amount not more than [twenty-two] **twenty-three** dollars and [eighty-two] **thirty-eight** cents plus copying in the amount of [fifty-three] **fifty-four** cents per page for the cost of supplies and labor plus, if the health care provider has contracted for off-site records storage and management, any additional labor costs of outside storage retrieval, not to exceed twenty-one dollars and [thirty-six] **eighty-nine** cents, as adjusted annually pursuant to subsection 5 of this section; or

(b) The records shall be furnished electronically upon payment of the search, retrieval, and copying fees set under this section at the time of the request or one hundred **two** dollars **and forty-six cents** total, whichever is less, if such person:

- a. Requests health records to be delivered electronically in a format of the health care provider's choice;
- b. The health care provider stores such records completely in an electronic health record; and
- c. The health care provider is capable of providing the requested records and affidavit, if requested, in an electronic format;

(2) Postage, to include packaging and delivery cost; and

(3) Notary fee, not to exceed two dollars, if requested.

3. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of health care record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

4. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section.

5. Effective February first of each year, the fees listed in subsection 2 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall report the annual adjustment and the adjusted fees authorized in this section on the department's internet website by February first of each year.

**6. A health care provider may furnish a copy of a deceased patient's medical records or payment records or specific information contained in medical records or payment records to the patient's**

**health care decision maker after the patient's death. A health care provider may also furnish a copy of a deceased patient's medical records or payment records or specific information contained in medical records or payment records to the personal representative or administrator of the estate of a deceased patient, or if a personal representative or administrator has not been appointed, to the following persons:**

- (1) The deceased patient's spouse on the affidavit of the surviving spouse that he or she is the surviving spouse;**
- (2) The acting trustee of a trust created by the deceased patient either alone or with the deceased patient's spouse;**
- (3) An adult child of the deceased patient on the affidavit of the adult child that he or she is the adult child of the deceased;**
- (4) A parent of the deceased patient on the affidavit of the parent that he or she is the parent of the deceased;**
- (5) An adult brother or sister of the deceased patient on the affidavit of the adult brother or sister that he or she is the adult brother or sister of the deceased;**
- (6) A guardian or conservator of the deceased patient at the time of the patient's death on the affidavit of the guardian or conservator that he or she is the guardian or conservator of the deceased; or**
- (7) A guardian ad litem of a decedent's minor child based on the affidavit of the guardian that he or she is the guardian ad litem of the minor child of the decedent.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 615, Page 14, Section 488.2240, Line 10, by inserting after all of said section and line the following:

“[550.040. In all capital cases, and those in which imprisonment in the penitentiary is the sole punishment for the offense, if the defendant is acquitted, the costs shall be paid by the state; and in all other trials on indictments or information, if the defendant is acquitted, the costs shall be paid by the county in which the indictment was found or information filed.]

[550.060. In all cases where any person shall be committed or recognized to answer for a felony, and no indictment shall be found against such person, the prosecutor, or person on whose oath the prosecution was commenced, shall be liable for all the costs incurred in that behalf; and the court shall render judgment against such prosecutor for the same, and in no such case shall the state or county pay such costs.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 615, Page 4, Section 56.807, Line 74, by inserting immediately after said line the following:

**“57.095 Notwithstanding the provisions of section 537.600 to the contrary, sheriffs or any other**

**law enforcement officers shall have immunity from any liability, civil or criminal, while conducting service of process at the direction of any court to the extent that the officers' actions do not violate clearly established statutory or constitutional rights of which a reasonable person would have known.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 615, Page 14, Section 488.2240, Line 10, by inserting after all of said section and line the following:

"488.5320. 1. Sheriffs, county marshals or other officers shall be allowed a charge for their services rendered in criminal cases and in all proceedings for contempt or attachment, as required by law, the sum of seventy-five dollars for each felony case or contempt or attachment proceeding, ten dollars for each misdemeanor case, and six dollars for each infraction, including cases disposed of by a violations bureau established pursuant to law or supreme court rule. Such charges shall be charged and collected in the manner provided by sections 488.010 to 488.020 and shall be payable to the county treasury; except that, those charges from cases disposed of by a violations bureau shall be distributed as follows: one-half of the charges collected shall be forwarded and deposited to the credit of the MODEX fund established in subsection 6 of this section for the operational cost of the Missouri data exchange (MODEX) system, and one-half of the charges collected shall be deposited to the credit of the inmate security fund, established in section 488.5026, of the county or municipal political subdivision from which the citation originated. If the county or municipal political subdivision has not established an inmate security fund, all of the funds shall be deposited in the MODEX fund.

2. [Notwithstanding subsection 1 of this section to the contrary, sheriffs, county marshals, or other officers in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants or in any city not within a county shall not be allowed a charge for their services rendered in cases disposed of by a violations bureau established pursuant to law or supreme court rule.

3.] The sheriff receiving any charge pursuant to subsection 1 of this section shall reimburse the sheriff of any other county or the City of St. Louis the sum of three dollars for each pleading, writ, summons, order of court or other document served in connection with the case or proceeding by the sheriff of the other county or city, and return made thereof, to the maximum amount of the total charge received pursuant to subsection 1 of this section.

[4.] 3. The charges provided in subsection 1 of this section shall be taxed as other costs in criminal proceedings immediately upon a plea of guilty or a finding of guilt of any defendant in any criminal procedure. The clerk shall tax all the costs in the case against such defendant, which shall be collected and disbursed as provided by sections 488.010 to 488.020; provided, that no such charge shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court; provided further, that all costs, incident to the issuing and serving of writs of scire facias and of writs of fieri facias, and of attachments for witnesses of defendant, shall in no case be paid by the state, but such costs incurred under writs of fieri facias and scire facias shall be paid by the defendant and such defendant's sureties, and costs for attachments for witnesses shall be paid by such witnesses.

[5.] 4. Mileage shall be reimbursed to sheriffs, county marshals and guards for all services rendered

pursuant to this section at the rate prescribed by the Internal Revenue Service for allowable expenses for motor vehicle use expressed as an amount per mile.

[6.] **5.** (1) There is hereby created in the state treasury the “MODEX Fund”, which shall consist of money collected under subsection 1 of this section. The fund shall be administered by the peace officers standards and training commission established in section 590.120. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the operational support and expansion of the MODEX system.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 615, Page 14, Section 488.2240, Line 10, by inserting after all of said line the following:

“575.153. 1. A person commits the crime of disarming a peace officer, as defined in section [590.100] **590.010**, or a correctional officer if such person intentionally:

(1) Removes a firearm [or other], deadly weapon, **or less-lethal weapon, to include blunt impact, chemical or conducted energy devices, used in the performance of his or her official duties** from the person of a peace officer or correctional officer while such officer is acting within the scope of his or her official duties; or

(2) Deprives a peace officer or correctional officer of such officer’s use of a firearm [or], deadly weapon, **or any other equipment described in subdivision (1) of this subsection** while the officer is acting within the scope of his or her official duties.

2. The provisions of this section shall not apply when:

(1) The defendant does not know or could not reasonably have known that the person he or she disarmed was a peace officer or correctional officer; or

(2) The peace officer or correctional officer was engaged in an incident involving felonious conduct by the peace officer or correctional officer at the time the defendant disarmed such officer.

3. Disarming a peace officer or correctional officer is a class C felony.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 615, Page 13, Section 488.2206, Line 23, by inserting after all of said section and line the following:

“**488.2235. 1. In addition to all other court costs for municipal ordinance violations, any home rule**



city with more than four hundred thousand inhabitants and located in more than one county may provide for additional court costs in an amount up to five dollars per case for each municipal ordinance violation case filed before a municipal division judge or associate circuit judge.

2. The judge may waive the assessment of the cost in those cases where the defendant is found by the judge to be indigent and unable to pay the costs.

3. Such cost shall be collected by the clerk and disbursed to the city at least monthly. The city shall use such additional costs only for the restoration, maintenance and upkeep of the municipal courthouse. The costs collected may be pledged to directly or indirectly secure bonds for the cost of restoration, maintenance and upkeep of the courthouse.

4. The provisions of this section shall expire August 28, 2021.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 615, Page 1, in the Title, Line 7, by deleting the words “court costs” and inserting in lieu thereof the words “judicial procedures”; and

Further amend said bill, Page 14, Section 488.2240, Line 10, by inserting immediately after said line the following:

“537.345. As used in sections 537.345 to 537.347, and section 537.351, the following terms mean:

(1) “Charge”, the admission price or fee asked by an owner of land or an invitation or permission without price or fee to use land for recreational purposes when such invitation or permission is given for the purpose of sales promotion, advertising or public goodwill in fostering business purposes;

(2) “Land”, all real property, land and water, and all structures, fixtures, equipment and machinery thereon;

(3) “Owner”, any individual, legal entity or governmental agency that has any ownership or security interest whatever or lease or right of possession in land;

(4) “Recreational use”, hunting, fishing, camping, picnicking, biking, **aviation activities for personal or private use and not for a commercial event or gathering**, nature study, winter sports, viewing or enjoying archaeological or scenic sites, or other similar activities undertaken for recreation, exercise, education, relaxation, or pleasure on land owned by another;

(5) “Trespasser”, any person who enters on the property of another without permission and without an invitation, express or implied regardless of whether actual notice of trespass was given or the land was posted in accordance with the provisions of sections 569.140 and 569.145.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Bill No. 615, Page 4, Section 56.807, Line 74, by inserting after all of said section and line the following:

“452.556. 1. The state courts administrator shall create a handbook or be responsible for the approval

of a handbook outlining the following:

- (1) What is included in a parenting plan;
- (2) The benefits of the parties agreeing to a parenting plan which outlines education, custody and cooperation between parents;
- (3) The benefits of alternative dispute resolution;
- (4) The pro se family access motion for enforcement of custody or temporary physical custody;
- (5) The underlying assumptions for supreme court rules relating to child support; and
- (6) A party's duties and responsibilities pursuant to section 452.377, including the possible consequences of not complying with section 452.377. The handbooks shall be distributed to each court and shall be available in an alternative format, including Braille, large print, or electronic or audio format upon request by a person with a disability, as defined by the federal Americans with Disabilities Act.

2. Each court shall [mail] **provide** a copy of the handbook developed pursuant to subsection 1 of this section to each party in a dissolution or legal separation action filed pursuant to section 452.310, or any proceeding in modification thereof, where minor children are involved, or may provide the petitioner with a copy of the handbook at the time the petition is filed and direct that a copy of the handbook be served along with the petition and summons upon the respondent.

3. The court shall make the handbook available to interested state agencies and members of the public.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HB 1439**, as amended, and has taken up and passed **CCS** for **SS** for **SCS** for **HCS** for **HB 1439**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HB 1594**.

Senator Lager assumed the Chair.

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 492**, as amended: Senators Pearce, Brown, Romine, Keaveny and Sifton.

### **PRIVILEGED MOTIONS**

Senator Emery moved that the Senate refuse to adopt the conference committee report on **SS** for **SCS**

for **HB 1490**, as amended, and requests the House to grant the Senate a further conference thereon; and further that the conferees be allowed to exceed the differences in Section 161.855, which motion prevailed.

Senator Munzlinger moved that **SS** for **SB 745**, with **HA 1** and **HA 2**, be taken up for 3rd reading and final passage, which motion prevailed.

**HA 1** was taken up.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Curls	Dempsey	Dixon	Emery	Holsman	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves	Pearce	Richard
Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford

Wasson—25

NAYS—Senators

Chappelle-Nadal	Justus	Keaveny	LeVota	Walsh—5
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Absent—Senator Parson—1

Absent with leave—Senator Cunningham—1

Vacancies—2

**HA 2** was taken up.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Curls	Dempsey	Dixon	Emery	Holsman	Kehoe	Kraus
Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Wasson—27					

NAYS—Senators

Chappelle-Nadal	Justus	Keaveny	Walsh—4
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Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

On motion of Senator Munzlinger, **SS** for **SB 745**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Curls	Dempsey	Dixon	Emery	Holsman	Kehoe	Kraus
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Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Wasson—27					

NAYS—Senators

Chappelle-Nadal	Justus	Keaveny	Walsh—4
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Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Nieves assumed the Chair.

Senator Kraus moved that the Senate refuse to concur in **HCS** for **SB 656**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Munzlinger moved that **SB 504**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SB 504**, as amended, entitled:

#### HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 504

An Act to repeal section 536.016, RSMo, and to enact in lieu thereof one new section relating to the availability of proposed rules on the internet.

Was taken up.

Senator Munzlinger moved that **HCS** for **SB 504**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

On motion of Senator Munzlinger, **HCS** for **SB 504**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Dixon moved that the Senate refuse to concur in **HCS** for **SB 615**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Schaaf moved that the Senate refuse to recede from its position on **SS** for **HCS** for **HB 1685**, and grant the House a conference thereon, which motion prevailed.

### **HOUSE BILLS ON THIRD READING**

**HB 1539**, introduced by Representative Kelley (127), et al, with **SCS**, entitled:

An Act to repeal sections 84.340, 563.031, 571.030, and 571.111, RSMo, and to enact in lieu thereof six new sections relating to public safety, with existing penalty provisions and an emergency clause for certain sections.

Was taken up by Senator Dixon.

**SCS** for **HB 1539**, entitled:

### **SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1539**

An Act to repeal sections 84.340, 563.031, 571.030, and 571.111, RSMo, and to enact in lieu thereof

five new sections relating to public safety, with existing penalty provisions and an emergency clause for certain sections.

Was taken up.

Senator Dixon moved that **SCS** for **HB 1539** be adopted.

Senator Dixon offered **SS** for **SCS** for **HB 1539**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1539

An Act to repeal sections 21.750, 57.015, 57.201, 57.220, 57.250, 84.340, 544.216, 563.031, 571.030, 571.070, 571.101, 571.104, 571.107, 571.111, 571.117, 590.010, 590.205, and 650.350, RSMo, and to enact in lieu thereof twenty-four new sections relating to public safety, with existing penalty provisions.

Senator Dixon moved that **SS** for **SCS** for **HB 1539** be adopted.

Senator Dixon offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1539, Page 10, Section 160.665, Line 28, by inserting immediately after said line the following:

“287.243. 1. This section shall be known and may be cited as the “Line of Duty Compensation Act”.

2. As used in this section, unless otherwise provided, the following words shall mean:

(1) “Air ambulance pilot”, a person certified as an air ambulance pilot in accordance with sections 190.001 to 190.245 and corresponding regulations applicable to air ambulances adopted by the department of health and senior services, division of regulation and licensure, 19 CSR 30-40.005, et seq.;

(2) “Air ambulance registered professional nurse”, a person licensed as a registered professional nurse in accordance with sections 335.011 to 335.096 and corresponding regulations adopted by the state board of nursing, 20 CSR 2200-4, et seq., who provides registered professional nursing services as a flight nurse in conjunction with an air ambulance program that is certified in accordance with sections 190.001 to 190.245 and the corresponding regulations applicable to such programs;

(3) “Emergency medical technician”, a person licensed in emergency medical care in accordance with standards prescribed by sections 190.001 to 190.245 and by rules adopted by the department of health and senior services under sections 190.001 to 190.245;

(4) “Firefighter”, any person, including a volunteer firefighter, employed by the state or a local governmental entity as an employer defined under subsection 1 of section 287.030, or otherwise serving as a member or officer of a fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims;

(5) “Killed in the line of duty”, when [a] **any** person defined in this section loses [one’s] **his or her** life [as a result of an injury received in the active performance of his or her duties within the ordinary scope of his or her respective profession while the individual is on duty and but for the individual’s performance,

death would have not occurred] **when:**

**(a) Death is caused by an accident or the willful act of violence of another;**

**(b) The law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter is in the active performance of his or her duties in his or her respective profession and there is a relationship between the accident or commission of the act of violence and the performance of the duty, even if the individual is off duty; the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter is traveling to or from employment; or the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter is taking any meal break or other break which takes place while that individual is on duty;**

**(c) Death is the natural and probable consequence of the injury; and**

**(d) Death occurs within three hundred weeks from the date the injury was received.**

The term excludes death resulting from the willful misconduct or intoxication of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter. The division of workers' compensation shall have the burden of proving such willful misconduct or intoxication;

(6) "Law enforcement officer", any person employed by the state or a local governmental entity as a police officer, peace officer certified under chapter 590, or serving as an auxiliary police officer or in some like position involving the enforcement of the law and protection of the public interest at the risk of that person's life;

(7) "Local governmental entity", includes counties, municipalities, townships, board or other political subdivision, cities under special charter, or under the commission form of government, fire protection districts, ambulance districts, and municipal corporations;

(8) "State", the state of Missouri and its departments, divisions, boards, bureaus, commissions, authorities, and colleges and universities;

(9) "Volunteer firefighter", a person having principal employment other than as a firefighter, but who is carried on the rolls of a regularly constituted fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims, the members of which are under the jurisdiction of the corporate authorities of a city, village, incorporated town, or fire protection district. Volunteer firefighter shall not mean an individual who volunteers assistance without being regularly enrolled as a firefighter.

3. (1) A claim for compensation under this section shall be filed by the estate of the deceased with the division of workers' compensation not later than one year from the date of death of a law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter. If a claim is made within one year of the date of death of a law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter killed in the line of duty, compensation shall be paid, if the division finds that the claimant is entitled to compensation under this section.

(2) The amount of compensation paid to the claimant shall be twenty-five thousand dollars, subject to appropriation, for death occurring on or after June 19, 2009.

4. Notwithstanding subsection 3 of this section, no compensation is payable under this section unless a claim is filed within the time specified under this section setting forth:

(1) The name, address, and title or designation of the position in which the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter was serving at the time of his or her death;

(2) The name and address of the claimant;

(3) A full, factual account of the circumstances resulting in or the course of events causing the death at issue; and

(4) Such other information that is reasonably required by the division.

When a claim is filed, the division of workers' compensation shall make an investigation for substantiation of matters set forth in the application.

5. The compensation provided for under this section is in addition to, and not exclusive of, any pension rights, death benefits, or other compensation the claimant may otherwise be entitled to by law.

6. Neither employers nor workers' compensation insurers shall have subrogation rights against any compensation awarded for claims under this section. Such compensation shall not be assignable, shall be exempt from attachment, garnishment, and execution, and shall not be subject to setoff or counterclaim, or be in any way liable for any debt, except that the division or commission may allow as lien on the compensation, reasonable attorney's fees for services in connection with the proceedings for compensation if the services are found to be necessary. Such fees are subject to regulation as set forth in section 287.260.

7. Any person seeking compensation under this section who is aggrieved by the decision of the division of workers' compensation regarding his or her compensation claim, may make application for a hearing as provided in section 287.450. The procedures applicable to the processing of such hearings and determinations shall be those established by this chapter. Decisions of the administrative law judge under this section shall be binding, subject to review by either party under the provisions of section 287.480.

8. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after June 19, 2009, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

9. The provisions of this section, unless specified, shall not be subject to other provisions of this chapter.

10. There is hereby created in the state treasury the "Line of Duty Compensation Fund", which shall consist of moneys appropriated to the fund and any voluntary contributions, gifts, or bequests to the fund. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in



accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for paying claims under this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

11. The division shall promulgate rules to administer this section, including but not limited to the appointment of claims to multiple claimants, record retention, and procedures for information requests. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after June 19, 2009, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted.

At the request of Senator Dixon, **HB 1539**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

Senator Kraus assumed the Chair.

**HCS** for **HB 1231**, with **SCS**, entitled:

An Act to repeal sections 56.363, 56.800, 56.805, 56.807, 56.811, 56.827, 56.833, 56.840, 105.684, 211.183, 211.447, 302.065, 452.375, 452.400, 452.556, 453.015, 453.040, 453.110, 455.007, 456.950, 478.437, 478.610, 488.026, 516.140, 516.350, 536.010, 546.720, 575.153, 578.501, 578.502, 578.503, 632.480, 632.483, and 632.484, RSMo, and to enact in lieu thereof forty-eight new sections relating to judicial procedures, with penalty provisions.

Was taken up by Senator Dixon.

**SCS** for **HCS** for **HB 1231**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1231

An Act to repeal sections 56.363, 56.800, 56.805, 56.807, 56.811, 56.827, 56.833, 56.840, 105.711, 211.183, 211.447, 302.065, 452.556, 455.007, 456.950, 478.320, 478.437, 478.464, 478.513, 478.600, 478.610, 483.140, 488.026, 516.140, 516.350, 536.010, 546.720, 578.501, 578.502, 578.503, and 650.120, RSMo, and to enact in lieu thereof forty-three new sections relating to the administration of justice, with penalty provisions.

Was taken up.

Senator Dixon moved that **SCS** for **HCS** for **HB 1231** be adopted.

Senator Dixon offered **SS** for **SCS** for **HCS** for **HB 1231**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1231

An Act to repeal sections 56.807, 105.711, 302.065, 408.040, 452.556, 455.007, 456.950, 476.445, 477.081, 477.082, 477.152, 477.160, 477.170, 477.180, 477.181, 477.190, 477.191, 478.320, 478.437, 478.464, 478.513, 478.600, 478.610, 483.140, 488.014, 488.026, 488.305, 516.140, 516.350, 525.040, 525.070, 525.080, 525.230, 525.310, 575.153, 578.501, 578.502, 578.503, and 650.120, RSMo, and to enact in lieu thereof thirty-nine new sections relating to the administration of justice, with penalty provisions and an effective date for certain sections.

Senator Dixon moved that **SS** for **SCS** for **HCS** for **HB 1231** be adopted.

Senator Dixon offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1231, Page 20, Section 105.711, Line 11 of said page, by inserting after all of said line the following:

“211.442. As used in sections 211.442 to 211.487, unless the context clearly indicates otherwise, the following terms mean:

(1) “Child”, an individual under eighteen years of age;

(2) “Minor”, any person who has not attained the age of eighteen years;

(3) “Parent”[, a biological parent or parents of a child, as well as, the husband of a natural mother at the time the child was conceived, or a parent or parents of a child by adoption, including both the mother and the putative father of a child. The putative father of a child shall have no legal relationship unless he, prior to the entry of a decree under sections 211.442 to 211.487, has acknowledged the child as his own by affirmatively asserting his paternity]:

(a) **A biological parent or parents who have a parent and child relationship as defined under subdivision (4) of section 210.817 and section 210.819;**

(b) **The presumed father of a child under subdivisions (1), (2) and (3) of section 210.822;**

(c) **The acknowledged father under section 210.823;**

(d) **The adjudicated parent under sections 210.817 to 210.853;**

(e) **A parent or parents of a child by adoption; or**

(f) **The putative father of a child who has, before the birth or within fifteen days of the birth of the child:**

**a. Established a relationship with the child under section 453.045; and**

**b. Filed a parentage action under sections 210.817 to 210.853 and properly served notice upon the mother.**

211.444. 1. The juvenile court may, upon petition of the juvenile officer, **the court appointed guardian ad litem**, or a child-placing agency licensed under sections 210.481 to 210.536 in conjunction with a placement with such agency under subsection 6 of section 453.010, or the court before which a petition for adoption has been filed pursuant to the provisions of chapter 453, terminate the rights of a parent **or approve the consent to adoption or waiver of consent to adoption, by a parent or of a named father** to a child, **including a child who is a ward of the court**, if the court finds that such termination **or consent to adoption or waiver of consent to adoption** is in the best interests of the child and the parent has consented in writing to the termination of his or her parental rights **or consented or waived consent to the adoption**.

2. The written consent required by subsection 1 of this section may be executed before or after the institution of the proceedings and shall be acknowledged before a notary public. In lieu of such acknowledgment, the signature of the person giving the written consent shall be witnessed by at least two adult persons who are present at the execution whose signatures and addresses shall be plainly written thereon and who determine and certify that the consent is knowingly and freely given. The two adult witnesses shall not be the prospective parents. The notary public or witnesses shall verify the identity of the party signing the consent.

3. The written consent required by subsection 1 of this section shall be valid and effective only after the child is at least forty-eight hours old and if it complies with the other requirements of section 453.030.”; and

Further amend said bill, page 27, section 452.556, line 4 of said page, by inserting after all of said line the following:

“453.010. 1. Any person desiring to adopt another person as his or her child shall petition the juvenile division of the **Missouri** circuit court of the county in which:

- (1) The person seeking to adopt resides **or within one hundred and fifty miles of such county**;
- (2) The child sought to be adopted was born;
- (3) The child is located at the time of the filing of the petition; [or]
- (4) Either birth person resides **or within one hundred and fifty miles of such county**; or
- (5) The placing agency or intermediary has offices.**

2. A petition to adopt shall not be dismissed or denied on the grounds that the petitioner is not domiciled or does not reside in any of the venues set forth in subdivision (2), (3) or (4) of subsection 1 of this section.

3. If the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to the provision of chapter 211, any person desiring to adopt such person as his or her child shall petition the juvenile division of the circuit court which has jurisdiction over the child for permission to adopt such person as his or her child. Upon receipt of a motion from the petitioner and consent of the receiving court, the juvenile division of the circuit court which has jurisdiction over the child may transfer jurisdiction to the juvenile division of a circuit court within any of the alternative venues set forth in subsection 1 of this section.

4. If the petitioner has a spouse living and competent to join in the petition, such spouse may join therein, and in such case the adoption shall be by them jointly. If such a spouse does not join the petition

the court in its discretion may, after a hearing, order such joinder, and if such order is not complied with may dismiss the petition.

5. Upon receipt of a properly filed petition, a court, as defined in this section, shall hear such petition in a timely fashion. A court or any child-placing agency shall not deny or delay the placement of a child for adoption when an approved family is available, regardless of the approved family's residence or domicile. The court shall expedite the placement of a child for adoption pursuant to subsection 3 of this section.

6. A licensed child-placing agency may file a petition for transfer of custody if a birth parent consents in writing by power of attorney for placement of a minor child, a consent to adoption, or any other document which evidences a desire to place the child with the licensed child-placing agency for the purposes of transfer of custody of the child to the licensed child-placing agency. The written consent obtained from the birth parent shall strictly comply with section 453.030.

453.040. The consent to the adoption of a child is not required of:

(1) A parent whose rights with reference to the child have been terminated pursuant to law, including section 211.444 or section 211.447 or other similar laws in other states;

(2) A parent of a child who has legally consented to a future adoption of the child;

(3) A parent whose identity is unknown and cannot be ascertained at the time of the filing of the petition;

(4) A man who has not been established to be the father and who is not presumed by law to be the father, and who, after the conception of the child, executes a verified statement denying paternity and disclaiming any interest in the child and acknowledging that this statement is irrevocable when executed and follows the consent as set forth in section 453.030;

(5) A parent or other person who has not executed a consent and who, after proper service of process, fails to file an answer or make an appearance in a proceeding for adoption or for termination of parental rights at the time such cause is heard;

(6) A parent who has a mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;

(7) A parent who has for a period of at least six months, for a child one year of age or older, or at least sixty days, for a child under one year of age, immediately prior to the filing of the petition for adoption, willfully abandoned the child or, for a period of at least six months immediately prior to the filing of the petition for adoption, willfully, substantially and continuously neglected to provide him with necessary care and protection;

**(8) A man who is on notice that he may be the biological father of a child under section 453.061 but who has not developed a consistent and substantial relationship with his child under section 453.045 and whose consent is not required under section 453.030 or not required or is waived under subsection 7 of section 192.016;**

(9) A parent whose rights to the child may be terminated for any of the grounds set forth in section 211.447 and whose rights have been terminated after hearing and proof of such grounds as required by sections 211.442 to 211.487. Such petition for termination may be filed as a count in an adoption petition.

**453.045. 1. A man whose consent to adoption is waived or not required under sections 192.016, 453.030, or 453.040 nonetheless preserves his rights to intervene in an action for termination of parental rights or in an action for adoption or to file a paternity action for a child after a petition for either adoption or termination of parental rights has been filed with the court, where he can prove that he has previously developed a consistent and substantial relationship with the child commensurate with his means and abilities, including but not limited to, by providing his share of consistent prenatal financial support and consistent prenatal and natal medical care for the mother and baby, consistent child support payments commensurate with his ability to pay, consistent contact and visitation with the child, and assistance with educational and medical care of the child, unless he can prove that he was actively thwarted from doing so by the mother, or other actual or legal custodian.**

**2. Failure to develop such relationship pursuant to subsection 1 of this section waives such man's rights to intervene in an action for termination of parental rights or in an action for adoption or to file a paternity action for a child after a petition for either adoption or termination of parental rights has been filed with the court.**

**453.080. 1. The court shall conduct a hearing to determine whether the adoption shall be finalized. Out of state adoptive petitioners may appear by their attorney and by video conference rather than in person, as long as the child also appears by video conference or in person.** During such hearing, the court shall ascertain whether:

(1) The person sought to be adopted, if a child, has been in the lawful and actual custody of the petitioner for a period of at least six months prior to entry of the adoption decree; except that the six-month period may be waived if the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to chapter 211 and the person desiring to adopt the child is the child's current foster parent. "Lawful and actual custody" shall include a transfer of custody pursuant to the laws of this state, another state, a territory of the United States, or another country;

(2) The court has received and reviewed a postplacement assessment on the monthly contacts with the adoptive family pursuant to section 453.077, except for good cause shown in the case of a child adopted from a foreign country;

(3) The court has received and reviewed an updated financial affidavit;

(4) The court has received the recommendations of the guardian ad litem and has received and reviewed the recommendations of the person placing the child, the person making the assessment and the person making the postplacement assessment;

(5) [There is compliance with the uniform child custody jurisdiction act, sections 452.440 to 452.550;

(6)] There is compliance with the Indian Child Welfare Act, if applicable;

[(7)] (6) There is compliance with the Interstate Compact on the Placement of Children pursuant to section 210.620; and

[(8)] (7) It is fit and proper that such adoption should be made.

2. If a petition for adoption has been filed pursuant to section 453.010 and a transfer of custody has occurred pursuant to section 453.110, the court may authorize the filing for finalization in another state if

the adoptive parents are domiciled in that state.

3. If the court determines the adoption should be finalized, a [decree] **judgment** shall be issued setting forth the facts and ordering that from the date of the [decree] **judgment** the adoptee shall be for all legal intents and purposes the child of the petitioner or petitioners. The court may decree that the name of the person sought to be adopted be changed, according to the prayer of the petition.

4. Before the completion of an adoption, the exchange of information among the parties shall be at the discretion of the parties. **Prospective adoptive parents and parents of a prospective adoptee may enter into a post adoption contact agreement to allow communication, exchange of photographs or contact after the adoption between the parents, siblings, or other relatives of the adoptee and the adoptee and adoptive parents. The court shall not order any party to enter into a post adoption contact agreement.** Upon completion of an adoption, further contact among the parties shall be at the discretion of the adoptive parents, **and such adoptive parents may exercise their discretion to enter into a post adoption contact agreement with the former parents of an adoptee to allow contact between a former parent or sibling of the adoptee and the adoptee or adoptive parents. The agreement shall be in writing and be approved by the court at or before the finalization of the adoption. The agreement shall include:**

**(1) An acknowledgment by the former parents that the adoption is irrevocable, even if the adoptive parents do not abide by the post adoption contact agreement; and**

**(2) An acknowledgment by the adoptive parents that the agreement grants the former parents the right to seek to enforce the post adoption privileges set forth in the agreement.**

**The court shall not approve an agreement unless the agreement is approved by the adoptive parents with whom the agreement is being made. The court shall enforce a written agreement made in accordance with this subsection unless enforcement is not within the best interests of the adoptee.** The court shall not have jurisdiction to deny continuing contact between the adopted person and the birth parent, or an adoptive parent and a birth parent. Additionally, the court shall not have jurisdiction to deny an exchange of identifying information between an adoptive parent and a birth parent.

**5. For purposes of this section, “post adoption contact agreement”, shall mean a written agreement approved by the court pursuant to the provisions listed under subsection 4 of this section.**

453.110. 1. No person, agency, organization or institution shall surrender custody of a minor child, or transfer the custody of such a child to another, and no person, agency, organization or institution shall take possession or charge of a minor child so transferred, without first having filed a petition before the circuit court sitting as a juvenile court of the county where the child may be, praying that such surrender or transfer may be made, and having obtained such an order from such court approving or ordering transfer of custody. **Where filing such petition is impractical prior to lawful placement for care pursuant to subsection 5 of this section, such petition shall be filed within twenty days of execution of proper power of attorney or when the Interstate Compact for Placement of Children approval under section 210.620 is obtained, whichever is later.**

2. If any **filing is made late or** such surrender or transfer is made without first obtaining such an order **or compliance with subsection 5 of this section**, such court shall, on petition of any public official or interested person, agency, organization or institution, order an investigation and report as described in section 453.070 to be completed by the division of family services and shall make such order as to the

custody of such child in the best interest of such child.

3. Any person violating the terms of this section shall be guilty of a class D felony.

4. The investigation required by subsection 2 of this section shall be initiated by the **children's** division [of family services] within forty-eight hours of the filing of the court order requesting the investigation and report and shall be completed within thirty days. The court shall order the person having custody in violation of the provisions of this section to pay the costs of the investigation and report.

5. This section shall not be construed to prohibit any parent, agency, organization or institution from placing a child with another individual for care **under proper power of attorney** if the right to supervise the care of the child and to resume custody thereof is retained, or from placing a child with a licensed foster home within the state **under proper power of attorney** through a child-placing agency licensed by this state as part of a preadoption placement.

6. After the filing of a petition for the transfer of custody for the purpose of adoption, the court may enter an order of transfer of custody if the court finds all of the following:

(1) A family assessment has been made as required in section 453.070 and has been reviewed by the court;

(2) A recommendation has been made by the guardian ad litem;

(3) A petition for transfer of custody for adoption has been properly filed or an order terminating parental rights has been properly filed;

(4) The financial affidavit has been filed as required under section 453.075;

(5) The written report regarding the child who is the subject of the petition containing the information has been submitted as required by section 453.026;

(6) Compliance with the Indian Child Welfare Act, if applicable; [and]

(7) Compliance with the Interstate Compact on the Placement of Children pursuant to section 210.620;  
**and**

**(8) The parties have notified the court of any persons not a party to the adoption who have physical custody or claims to have rights of legal custody, physical custody, or visitation rights with respect to minor child; of any other legal proceedings concerning the minor child; and have affirmed a continuing duty to inform the court of any proceeding in this or any other state that could affect the current proceeding.**

7. A hearing on the transfer of custody for the purpose of adoption is not required if:

(1) The conditions set forth in subsection 6 of this section are met;

(2) The parties agree and the court grants leave; and

(3) Parental rights have been terminated pursuant to section 211.444 or 211.447.”; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Dixon offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1231, Page 6, Section 56.807, Line 23 of said page, by inserting immediately after “5.” the following: “**(1)**”; and further amend line 26 of said page, by striking “(1)” and inserting in lieu thereof the following: “**(a)**”; and further amend line 27 of said page, by striking “subdivision (3)” and inserting in lieu thereof the following: “**paragraph (c)**”; and further amend said line, by striking “subsection” and inserting in lieu thereof the following: “**subdivision**”; and

Further amend said bill and section, page 7, line 1 of said page, by striking “(2)” and inserting in lieu thereof the following: “**(b)**”; and further amend line 3 of said page, by striking “(3)” and inserting in lieu thereof the following: “**(c)**”; and further amend line 8 of said page, by inserting immediately after said line the following:

**“(2) Beginning August 28, 2015, the county contribution set forth in paragraphs (a) to (c) of subdivision (1) of this subsection shall be adjusted in accordance with the following schedule based upon the prosecuting attorneys and circuit attorneys’ retirement system’s annual actuarial valuation report. If the system’s funding ration is:**

**(a) One hundred twenty percent or more, no monthly sum shall be transmitted;**

**(b) More than one hundred ten percent but less than one hundred twenty percent, the monthly sum transmitted shall be reduced fifty percent;**

**(c) At least ninety percent and up to and including one hundred ten percent, the monthly sum transmitted shall remain the same;**

**(d) At least eighty percent and less than ninety percent, the monthly sum transmitted shall be increased fifty percent; and**

**(e) Less than eighty percent, the monthly sum transmitted shall be increased one hundred percent.”.**

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Dixon offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1231, Page 56, Section 650.120, Lines 24-25 of said page, by striking all of the underlined language from both of said lines; and

Further amend said bill and section, page 57, line 23 of said page, by striking the opening bracket “[” and the closing bracket “]” from said line; and further amend lines 25-27 of said page, by striking all of the underlined language from all of said lines.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Dixon offered **SA 4**:



SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1231, Page 23, Section 302.067, Line 13 of said page, by inserting immediately after said line the following:

“334.950. 1. As used in this section, the following terms shall mean:

(1) “Child abuse medical resource centers”, medical institutions affiliated with accredited children’s hospitals or recognized institutions of higher education with accredited medical school programs that provide training, support, mentoring, and peer review to SAFE CARE providers in Missouri;

(2) “SAFE CARE provider”, a physician, advanced practice nurse, or physician’s assistant licensed in this state who provides medical diagnosis and treatment to children suspected of being victims of abuse and who receives:

(a) Missouri-based initial intensive training regarding child maltreatment from the SAFE CARE network;

(b) Ongoing update training on child maltreatment from the SAFE CARE network;

(c) Peer review and new provider mentoring regarding the forensic evaluation of children suspected of being victims of abuse from the SAFE CARE network;

(3) “Sexual assault forensic examination child abuse resource education network” or “SAFE CARE network”, a network of SAFE CARE providers and child abuse medical resource centers that collaborate to provide forensic evaluations, medical training, support, mentoring, and peer review for SAFE CARE providers for the medical evaluation of child abuse victims in this state to improve outcomes for children who are victims of or at risk for child maltreatment by enhancing the skills and role of the medical provider in a multidisciplinary context.

2. Child abuse medical resource centers may collaborate directly or through the use of technology with SAFE CARE providers to promote improved services to children who are suspected victims of abuse that will need to have a forensic medical evaluation conducted by providing specialized training for forensic medical evaluations for children conducted in a hospital, child advocacy center, or by a private health care professional without the need for a collaborative agreement between the child abuse medical resource center and a SAFE CARE provider.

3. SAFE CARE providers who are a part of the SAFE CARE network in Missouri may collaborate directly or through the use of technology with other SAFE CARE providers and child abuse medical resource centers to promote improved services to children who are suspected victims of abuse that will need to have a forensic medical evaluation conducted by providing specialized training for forensic medical evaluations for children conducted in a hospital, child advocacy center, or by a private health care professional without the need for a collaborative agreement between the child abuse medical resource center and a SAFE CARE provider.

4. The SAFE CARE network shall develop recommendations concerning medically based screening processes and forensic evidence collection for children who may be in need of an emergency examination following an alleged sexual assault. Such recommendations shall be provided to the SAFE CARE providers, child advocacy centers, hospitals and licensed practitioners that provide emergency examinations for

children suspected of being victims of abuse.

**5. The department of public safety shall establish rules and make payments to SAFE CARE providers, out of appropriations made for that purpose, who provide forensic examinations of persons under eighteen years of age who are alleged victims of physical abuse.**

**6. The department shall establish maximum reimbursement rates for charges submitted under this section, which shall reflect the reasonable cost of providing the forensic exam.**

**7. The department shall only reimburse providers for forensic evaluations and case reviews. The department shall not reimburse providers for medical procedures, facility fees, supplies, or laboratory/radiology tests.**

**8. In order for the department to provide reimbursement, the child shall be the subject of a child abuse investigation or reported to the children's division as a result of the examination.**

**9. A minor may consent to examination under this section. Such consent is not subject to disaffirmance because of the individual's status as a minor, and the consent of a parent or guardian of the minor is not required for such examination.”; and**

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Justus offered **SA 5**:

#### SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1231, Page 23, Section 302.067, Line 11 of said page, by striking the word “or”; and further amend line 13 of said page, by inserting immediately after “permit” the following: “; or

**(4) The department may require an applicant to present such documents demonstrating lawful presence or citizenship specified in this section in order to correct any known or presumed error on the driver's license, nondriver's license, or instruction permit”.**

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger offered **SA 6**:

#### SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1231, Page 8, Section 56.807, Line 18 of said page, by inserting after all of said line the following:

**“57.095. Notwithstanding the provisions of section 537.600 to the contrary, sheriffs or any other law enforcement officers shall have immunity from any liability, civil or criminal, while conducting service of process at the direction of any court to the extent that the officers' actions do not violate clearly established statutory or constitutional rights of which a reasonable person would have known.”; and**

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Keaveny offered **SA 7**:

**SENATE AMENDMENT NO. 7**

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1231, Page 27, Section 452.556, Line 4 of said page, by inserting after all of said line the following:

“454.500. 1. At any time after the entry of an order pursuant to sections 454.470 and 454.475, the obligated parent, the division, or the person or agency having custody of the dependent child may file a motion for modification with the director. Such motion shall be in writing, shall set forth the reasons for modification, and shall state the address of the moving party. The motion shall be served by the moving party in the manner provided for in subsection 5 of section 454.465 upon the obligated parent or the party holding the support rights, as appropriate. In addition, if the support rights are held by the division of family services on behalf of the state, a true copy of the motion shall be mailed by the moving party by certified mail to the person having custody of the dependent child at the last known address of that person. A hearing on the motion shall then be provided in the same manner, and determinations shall be based on considerations set out in section 454.475, unless the party served fails to respond within thirty days, in which case the director may enter an order by default. If the child for whom the order applies is no longer in the custody of a person receiving public assistance or receiving support enforcement services from the department, or a division thereof, pursuant to section 454.425, the director may certify the matter for hearing to the circuit court in which the order was filed pursuant to section 454.490 in lieu of holding a hearing pursuant to section 454.475. If the director certifies the matter for hearing to the circuit court, service of the motion to modify shall be had in accordance with the provisions of subsection 5 of section 452.370. If the director does not certify the matter for hearing to the circuit court, service of the motion to modify shall be considered complete upon personal service, or on the date of mailing, if sent by certified mail. For the purpose of 42 U.S.C. 666(a)(9)(C), the director shall be considered the appropriate agent to receive the notice of the motion to modify for the obligee or the obligor, but only in those instances in which the matter is not certified to circuit court for hearing, and only when service of the motion is attempted on the obligee or obligor by certified mail.

2. A motion for modification made pursuant to this section shall not stay the director from enforcing and collecting upon the existing order pending the modification proceeding unless so ordered by the court.

3. Only payments accruing subsequent to the service of the motion for modification upon all named parties to the motion may be modified. Modification may be granted only upon a showing of a change of circumstances so substantial and continuing as to make the terms unreasonable. In a proceeding for modification of any child support award, the director, in determining whether or not a substantial change in circumstances has occurred, shall consider all financial resources of both parties, including the extent to which the reasonable expenses of either party are, or should be, shared by a spouse or other person with whom he or she cohabits, and the earning capacity of a party who is not employed. If the application of the guidelines and criteria set forth in supreme court rule 88.01 to the financial circumstances of the parties would result in a change of child support from the existing amount by twenty percent or more, then a prima facie showing has been made of a change of circumstances so substantial and continuing as to make the present terms unreasonable.

**4. If the division has entered an order under section 454.470 or 454.500, and an additional child**

**or children not the subject of the order are born to the parties, the division may, following the filing of a motion to modify, service of process, and opportunity for a hearing pursuant to this section, modify the underlying child support order to include a single child support obligation for all children of the parties in conformity with the criteria set forth in supreme court rule 88.01.**

**5.** The circuit court may, upon such terms as may be just, relieve a parent from an administrative order entered against that parent because of mistake, inadvertence, surprise, or excusable neglect.

[5.] **6.** No order entered pursuant to section 454.476 shall be modifiable pursuant to this section, except that an order entered pursuant to section 454.476 shall be amended by the director to conform with any modification made by the court that entered the court order upon which the director based his or her order.

[6.] **7.** When the party seeking modifications has met the burden of proof set forth in subsection 3 of this section, then the child support shall be determined in conformity with the criteria set forth in supreme court rule 88.01.

[7.] **8.** The last four digits of the Social Security number of the parents shall be recorded on any order entered pursuant to this section. The full Social Security number of each party and each child shall be retained in the manner required by section 509.520.”; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted.

At the request of Senator Dixon, **HCS** for **HB 1231**, with **SCS**, **SS** for **SCS** and **SA 7** (pending), was placed on the Informal Calendar.

## **RESOLUTIONS**

Senator Munzlinger offered Senate Resolution No. 2087, regarding Desari Robinette, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2088, regarding Candace Rosen, which was adopted.

Senator Schaefer offered Senate Resolution No. 2089, regarding Osson Lloyd Cox, which was adopted.

Senator Kehoe offered the following resolution:

### **SENATE RESOLUTION NO. 2090**

Whereas, the General Assembly deems it worthy to support and encourage any of those programs which exist to provide Missouri's senior citizens with an opportunity to utilize their experience and knowledge in a positive and meaningful way; and

Whereas, the General Assembly also deems it worthy to support those programs which are designed to provide participants with opportunities to develop better citizenship and leadership qualities; and

Whereas, the Silver Haired Legislature is a program which helps to ensure that senior citizens have a voice in state government while giving its participants a unique insight into the legislative process; and

Whereas, the General Assembly has a long tradition of granting the use of its Chambers to such programs:

Now, Therefore, Be It Resolved that the Missouri Senate hereby grant the participants of the Silver Haired Legislature permission to use the Senate Chamber for the purpose of their regular session from 8:00 a.m. to 5:00 p.m. Thursday, October 23, 2014 and 8:00 am to 1:00 p.m. Friday, October 24, 2014.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 2090** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 2090** was adopted.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HCS** for **HB 1217**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **HCS** for **HB 1075**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **HCS** for **HJR 90**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 794**, entitled:

An Act to repeal sections 362.333, 375.020, and 382.020, RSMo, and to enact in lieu thereof three new sections relating to insurance regulation.

In which the concurrence of the Senate is respectfully requested.

President Pro Tem Dempsey assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

On behalf of Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, Senator Silvey submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HB 1865**, with **SCS**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1867**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **HB 2077**, begs leave to report that it has considered the same and recommends that the bill do pass.

On motion of Senator Richard, the Senate recessed until 2:00 p.m.

**RECESS**

The time of recess having expired, the Senate was called to order by Senator Kraus.

**HOUSE BILLS ON THIRD READING**

**HCS** for **HBs 1861** and **1864**, with **SCS**, entitled:

An Act to repeal sections 208.024 and 208.027, RSMo, and to enact in lieu thereof five new sections relating to public assistance benefits.

Was called from the Informal Calendar and taken up by Senator Munzlinger.

**SCS** for **HCS** for **HBs 1861** and **1864**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NOS. 1861 and 1864**

An Act to repeal sections 208.024 and 208.027, RSMo, and to enact in lieu thereof four new sections relating to public assistance benefits, with an existing penalty provision.

Was taken up.

Senator Munzlinger moved that **SCS** for **HCS** for **HBs 1861** and **1864** be adopted.

Senator Silvey offered **SS** for **SCS** for **HCS** for **HBs 1861** and **1864**, entitled:

**SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NOS. 1861 and 1864**

An Act to repeal sections 191.411, 191.1056, 197.305, 197.310, 197.315, 197.330, 208.010, 208.024, 208.027, 208.080, 208.151, 208.631, 208.636, 208.640, 208.643, 208.646, 208.647, 208.650, 208.655, 208.657, 208.658, 208.659, 208.670, 208.950, 208.952, 208.955, 208.975, 208.985, 208.990, and 208.991, RSMo, and to enact in lieu thereof forty-four new sections relating to public assistance, with penalty provisions.

Senator Silvey moved that **SS** for **SCS** for **HCS** for **HBs 1861** and **1864** be adopted.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

At the request of Senator Silvey, **SS** for **SCS** for **HCS** for **HBs 1861** and **1864** was withdrawn.

At the request of Senator Munzlinger, **HCS** for **HBs 1861** and **1864**, with **SCS** (pending), was placed on the Informal Calendar.

**PRIVILEGED MOTIONS**

Senator Pearce moved that the Senate conferees on **HCS** for **SCS** for **SBs 493, 485, 495, 516, 534, 545, 595, 616** and **624**, as amended, be allowed to exceed the differences in Section 161.084; Section 167.826; and Section 167.828, which motion prevailed.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SS** for **HCS** for **HB 1685**. Representatives: Neely, Richardson and Mitten.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 731**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **HJR 68**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House grants the Senate further conference on **SS** for **SCS** for **HB 1490**, as amended, and further the House conferees are allowed to exceed the differences in Section 161.855.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 656**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 615**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House Conferees on **HCS** for **SCS** for **SBs 493, 485, 495, 516, 534, 545, 595, 616, and 624**, as amended, be allowed to exceed the differences on Section 161.084, 167.826, and 167.828.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 615**, as amended. Representatives: Austin, Cornejo and Colona.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 656**, as amended. Representatives: Elmer, Jones (50) and Butler.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has re-appointed the following Conference Committee on **SS** for **SCS** for **HB 1490**, as amended, to act with a like committee from the Senate. Representatives: Bahr, Diehl and Montecillo.

**CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 615**, as amended: Senators Dixon, Schaefer, Schmitt, Justus and Keaveny.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 656**, as amended: Senators Kraus, Munzlinger, Dixon, Keaveny and Holsman.

President Pro Tem Dempsey re-appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HB 1490**, as amended: Senators Emery, Pearce, Lamping, Chappelle-Nadal and Keaveny.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SS** for **HCS** for **HB 1685**: Senators Schaaf, Wasson, Sater, LeVota and Holsman.

**HOUSE BILLS ON THIRD READING**

Senator Dixon moved that **HCS** for **HB 1231**, with **SCS**, **SS** for **SCS** and **SA 7** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SA 7** was again taken up.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Dixon moved that **SS** for **SCS** for **HCS** for **HB 1231**, as amended, be adopted, which motion prevailed.

On motion of Senator Dixon, **SS** for **SCS** for **HCS** for **HB 1231**, as amended, was read the 3rd time and passed by the following vote:

**YEAS—Senators**

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

**NAYS—Senators—None**

Absent—Senator Richard—1

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.



**PRIVILEGED MOTIONS**

Senator Parson, on behalf of the conference committee appointed to act with a like committee from the House on **HCS for SB 693**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT NO. 2 ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 693**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 693, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, House Amendment No. 1 to House Amendment No. 12, House Amendment No. 12, as amended, and House Amendment Nos. 13, 14, and 15, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 693, as amended;
2. That the Senate recede from its position on Senate Bill No. 693;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 693 be Third Read and Finally Passed.

**FOR THE SENATE:**

/s/ Michael L. Parson

/s/ Bob Dixon

/s/ Gary Romine

/s/ Joseph P. Keaveny

/s/ Paul LeVota

**FOR THE HOUSE:**

/s/ Caleb Jones

/s/ Kevin Elmer

/s/ Jeremy LaFaver

Senator Parson moved that the above conference committee report no. 2 be adopted, which motion prevailed by the following vote:

**YEAS—Senators**

Chappelle-Nadal	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny	Kehoe
Lager	LeVota	Libla	Munzlinger	Nasheed	Parson	Pearce	Romine
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Walsh	Wasson—24

**NAYS—Senators**

Brown	Emery	Kraus	Lamping	Nieves	Sifton—6
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Absent—Senator Richard—1

Absent with leave—Senator Cunningham—1

Vacancies—2

On motion of Senator Parson, **CCS No. 2** for **HCS for SB 693**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 693

To repeal sections 99.845, 135.700, 143.041, 143.071, 143.191, 143.451, 144.030, 144.044, 144.610, 285.230, 285.232, 285.233, and 285.234, RSMo, and to enact in lieu thereof twenty-two new sections relating to taxation, with existing penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny
Kehoe	Lager	LeVota	Libla	Munzlinger	Nasheed	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford
Walsh	Wasson—26						

NAYS—Senators

Emery	Kraus	Lamping	Nieves	Sifton—5
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Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HOUSE BILLS ON THIRD READING**

At the request of Senator Libla, **HB 1865**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Schmitt, **HCS** for **HB 1831**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Dixon, **HCS** for **HBs 1179** and **1765**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kehoe, **HB 1707** was placed on the Informal Calendar.

At the request of Senator Kehoe, **HB 2163** was placed on the Informal Calendar.

At the request of Senator Schaefer, **HB 1693** was placed on the Informal Calendar.

At the request of Senator Justus, **HB 1692**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Schaefer, **HCS** for **HB 1614**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Dixon, **HB 1883**, with **SCA 1**, was placed on the Informal Calendar.

At the request of Senator Dixon, **HB 1906**, with **SCS**, was placed on the Informal Calendar.

**HCS** for **HB 2141**, with **SCS**, entitled:

An Act to repeal sections 135.710, 137.010, 142.803, 142.869, 413.225, and 413.226, RSMo, and to enact in lieu thereof six new sections relating to alternative fuels, with an existing penalty provision and an effective date.

Was taken up by Senator Kehoe.

**SCS** for **HCS** for **HB 2141**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2141

An Act to repeal sections 142.803, 142.869, 323.010, 323.025, 323.050, 413.225, and 413.226, RSMo, and to enact in lieu thereof seven new sections relating to alternative motor fuel, with an effective date and an existing penalty provision.

Was taken up.

Senator Kehoe moved that **SCS** for **HCS** for **HB 2141** be adopted.

Senator Kehoe offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2141, Page 6, Section 142.869, Line 41, by inserting after all of said line the following:

“305.230. 1. The state highways and transportation commission shall administer an aeronautics program within this state. The commission shall encourage, foster and participate with the political subdivisions of this state in the promotion and development of aeronautics. The commission may provide financial assistance in the form of grants from funds appropriated for such purpose to any political subdivision or instrumentality of this state acting independently or jointly or to the owner or owners of any privately owned airport designated as a reliever by the Federal Aviation Administration for the planning, acquisition, construction, improvement or maintenance of airports, or for other aeronautical purposes.

2. Any political subdivision or instrumentality of this state or the owner or owners of any privately owned airport designated as a reliever by the Federal Aviation Administration receiving state funds for the purchase, construction, or improvement, except maintenance, of an airport shall agree before any funds are paid to it to control by ownership or lease the airport for a period equal to the useful life of the project as determined by the commission following the last payment of state or federal funds to it. In the event an airport authority ceases to exist for any reason, this obligation shall be carried out by the governing body which created the authority.

3. Unless otherwise provided, grants to political subdivisions, instrumentalities or to the owner or owners of any privately owned airport designated as a reliever by the Federal Aviation Administration shall be made from the aviation trust fund. In making grants, the commission shall consider whether the local community has given financial support to the airport in the past. Priority shall be given to airports with local funding for the past five years with no reduction in such funding. The aviation trust fund is a revolving trust fund exempt from the provisions of section 33.080 relating to the transfer of funds to the general revenue funds of the state by the state treasurer. All interest earned upon the balance in the aviation trust fund shall

be deposited to the credit of the same fund.

4. The moneys in the aviation trust fund shall be administered by the commission and, when appropriated, shall be used for the following purposes:

(1) As matching funds on an up to ninety percent state/ten percent local basis, except in the case where federal funds are being matched, when the ratio of state and local funds used to match the federal funds shall be fifty percent state/fifty percent local:

(a) For preventive maintenance of runways, taxiways and aircraft parking areas, and for emergency repairs of the same;

(b) For the acquisition of land for the development and improvement of airports;

(c) For the earthwork and drainage necessary for the construction, reconstruction or repair of runways, taxiways, and aircraft parking areas;

(d) For the construction, or restoration of runways, taxiways, or aircraft parking areas;

(e) For the acquisition of land or easements necessary to satisfy Federal Aviation Administration safety requirements;

(f) For the identification, marking or removal of natural or manmade obstructions to airport control zone surfaces and safety areas;

(g) For the installation of runway, taxiway, boundary, ramp, or obstruction lights, together with any work directly related to the electrical equipment;

(h) For the erection of fencing on or around the perimeter of an airport;

(i) For purchase, installation or repair of air navigational and landing aid facilities and communication equipment;

(j) For engineering related to a project funded under the provisions of this section and technical studies or consultation related to aeronautics;

(k) For airport planning projects including master plans and site selection for development of new airports, for updating or establishing master plans [and], airport layout plans, **airport business plans, and strategic plans** at existing airports;

(l) For the purchase, installation, or repair of safety equipment and such other capital improvements and equipment as may be required for the safe and efficient operation of the airport;

(m) If at least [six] **four million five hundred thousand** dollars is deposited into the aviation trust fund in the previous calendar year, [up to two million dollars may be expended annually upon] **funds may be spent for** the study or promotion of expanded domestic or international scheduled commercial service, the study or promotion of intrastate scheduled commercial service, **the promotion of aviation in the state**, or to assist airport sponsors participating in a federally funded air service program supporting intrastate scheduled commercial service, **subject to the following provisions:**

**a. No more than two million dollars may be spent from the aviation trust fund for the purposes provided in this paragraph in any calendar year; and**

**b. The commission shall be required to expend at least four million dollars of the annual, calendar**

**year deposits into the aviation trust fund for purposes other than the purposes described in this paragraph;**

(2) As total funds, with no local match:

(a) For providing air markers, windsocks, and other items determined to be in the interest of the safety of the general flying public;

(b) For the printing and distribution of state aeronautical charts and state airport directories on an annual basis, and a newsletter on a quarterly basis or the publishing and distribution of any public interest information deemed necessary by the commission;

(c) For the conducting of aviation safety workshops;

(d) For the promotion of aerospace education;

(3) As total funds with no local match, up to five hundred thousand dollars per year may be used for the cost of operating existing air traffic control towers that do not receive funding from the Federal Aviation Administration or the United States Department of Defense, except no more than one hundred sixty-seven thousand dollars per year may be used for any individual control tower;

(4) As total funds with a local match, up to five hundred thousand dollars per year may be used for air traffic control towers partially funded by the federal government under a cost-share program. Any expenditures under this program require a nonfederal match, comprised of a ratio of fifty percent state and fifty percent local funds. No more than one hundred thousand dollars per year may be expended for any individual control tower.

5. In the event of a natural or manmade disaster which closes any runway or renders inoperative any electronic or visual landing aid at an airport, any funds appropriated for the purpose of capital improvements or maintenance of airports may be made immediately available for necessary repairs once they are approved by the commission. For projects designated as emergencies by the commission, all requirements relating to normal procurement of engineering and construction services are waived.

6. As used in this section, the term “instrumentality of the state” shall mean any state educational institution as defined in section 176.010 or any state agency which owned or operated an airport on January 1, 1997, and continues to own or operate such airport.”; and

Further amend the title and enacting clause accordingly.

Senator Kehoe moved that the above amendment be adopted, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

Senator Kehoe moved that **SCS** for **HCS** for **HB 2141**, as amended, be adopted, which motion prevailed.

On motion of Senator Kehoe, **SCS** for **HCS** for **HB 2141**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Schmitt—1

Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

The President Pro Tem declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### **PRIVILEGED MOTIONS**

Senator Pearce, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SBs 493, 485, 495, 516, 534, 545, 595, 616** and **624**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

#### **CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 493, 485, 495, 516, 534, 545, 595, 616 & 624**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 & 624, with House Amendment Nos. 1 & 2 to House Amendment No. 1, House Amendment No. 1 as amended, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendment No. 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment No. 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7 as amended, House Amendments Nos. 8, 9, and 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 & 624, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 & 624;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 & 624 be Third Read and Finally Passed.

**FOR THE SENATE:**

/s/ David Pearce

/s/ Eric Schmitt

/s/ Ed Emery

/s/ Maria Chappelle-Nadal

/s/ S. Kiki Curls

**FOR THE HOUSE:**

/s/ Rick Stream

/s/ Steve Cookson

Vicki Englund

Senator Pearce moved that the above conference committee report be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Keaveny	Kehoe
Kraus	Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

## NAYS—Senators

Holsman	Justus	LeVota—3
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Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

On motion of Senator Pearce, **CCS** for **HCS** for **SCS** for **SBs 493, 485, 495, 516, 534, 545, 595, 616 and 624**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR**  
**HOUSE COMMITTEE SUBSTITUTE FOR**  
**SENATE COMMITTEE SUBSTITUTE FOR**  
**SENATE BILLS NOS. 493, 485, 495, 516, 534, 545, 595, 616 & 624**

An Act to repeal 160.011, 160.041, 160.400, 160.405, 160.415, 160.417, 162.081, 162.1250, 163.021, 163.036, 163.073, 163.410, 167.121, 167.131, 171.029, 171.031, 171.033, 177.011, 177.088, and 210.861, RSMo, and to enact in lieu thereof forty-seven new sections relating to elementary and secondary education, with an emergency clause.

Was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Keaveny	Kehoe
Kraus	Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

## NAYS—Senators

Holsman	Justus	LeVota—3
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Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

The President Pro Tem declared the bill passed.

The emergency clause was adopted by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Keaveny	Kehoe
Kraus	Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

## NAYS—Senators

Holsman	Justus	LeVota—3
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Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaaf assumed the Chair.

**HOUSE BILLS ON THIRD READING****HCS for HB 1371, with SCS, entitled:**

An Act to repeal sections 32.057, 105.478, 115.631, 142.909, 142.911, 143.1001, 143.1003, 149.200, 168.071, 188.030, 190.621, 191.905, 191.914, 193.315, 194.410, 194.425, 195.005, 195.010, 195.015, 195.016, 195.017, 195.025, 195.030, 195.040, 195.050, 195.060, 195.080, 195.100, 195.110, 195.130, 195.135, 195.140, 195.150, 195.180, 195.190, 195.195, 195.198, 195.202, 195.204, 195.211, 195.212, 195.213, 195.214, 195.217, 195.218, 195.219, 195.222, 195.223, 195.226, 195.233, 195.235, 195.241, 195.242, 195.246, 195.248, 195.252, 195.254, 195.256, 195.275, 195.280, 195.285, 195.291, 195.292, 195.295, 195.296, 195.367, 195.369, 195.371, 195.375, 195.417, 195.418, 195.420, 195.501, 195.503, 195.505, 195.507, 195.509, 195.511, 195.515, 196.979, 197.266, 197.326, 198.015, 198.070, 198.097, 198.158, 205.965, 210.117, 210.165, 211.038, 214.410, 217.360, 217.385, 217.400, 217.405, 217.542, 217.543, 217.692, 217.703, 221.025, 221.111, 221.353, 252.235, 253.080, 260.207, 260.208, 260.211, 260.212, 270.260, 276.421, 276.536, 277.180, 285.306, 285.308, 287.128, 287.129, 288.250, 288.395, 301.390, 301.400, 301.401, 301.559, 301.640, 302.015, 302.020, 302.060, 302.181, 302.302, 302.304, 302.321, 302.500, 302.540, 302.541, 302.605, 302.705, 302.710, 302.727, 302.745, 302.750, 302.755, 302.780, 303.024, 303.025, 304.070, 306.110, 306.111, 306.112, 306.114, 306.116, 306.117, 306.118, 306.119, 306.141, 306.420, 311.325, 313.004, 313.040, 313.290, 313.550, 313.660, 313.830, 317.018, 320.089, 320.161, 324.1142, 324.1148, 334.250, 335.096, 338.195, 338.315, 338.370, 354.320, 362.170, 367.031, 367.045, 374.210, 374.216, 374.702, 374.757, 374.789, 375.310, 375.537, 375.720, 375.786, 375.991, 375.1176, 375.1287, 380.391, 382.275, 389.653, 407.020, 407.095, 407.420, 407.436, 407.521, 407.536, 407.544, 407.740, 407.1082, 407.1252, 411.260, 411.287, 411.371, 411.517, 411.770, 413.229, 429.012, 429.013, 429.014, 436.485, 443.810, 443.819, 453.110, 455.085, 455.538, 542.402, 544.665, 556.011, 556.016, 556.021, 556.022, 556.026, 556.036, 556.037, 556.041, 556.046, 556.051, 556.056, 556.061, 556.063, 557.016, 557.021, 557.026, 557.031, 557.035, 557.036, 557.041, 557.046, 558.011, 558.016, 558.018, 558.019, 558.031, 558.041, 558.046, 559.012, 559.021, 559.036, 559.100, 559.106,



559.110, 559.115, 559.120, 559.125, 559.600, 559.604, 559.633, 560.011, 560.016, 560.021, 560.026, 560.031, 560.036, 561.016, 561.021, 561.026, 562.011, 562.016, 562.031, 562.036, 562.041, 562.051, 562.056, 562.061, 562.066, 562.071, 562.076, 562.086, 563.021, 563.026, 563.033, 563.046, 563.051, 563.056, 563.061, 563.070, 564.011, 564.016, 565.002, 565.004, 565.020, 565.021, 565.023, 565.024, 565.025, 565.030, 565.032, 565.035, 565.040, 565.050, 565.060, 565.063, 565.065, 565.070, 565.072, 565.073, 565.074, 565.075, 565.080, 565.081, 565.082, 565.083, 565.084, 565.085, 565.086, 565.090, 565.092, 565.095, 565.100, 565.110, 565.115, 565.120, 565.130, 565.140, 565.149, 565.150, 565.153, 565.156, 565.160, 565.163, 565.165, 565.169, 565.180, 565.182, 565.184, 565.186, 565.188, 565.190, 565.200, 565.210, 565.212, 565.214, 565.216, 565.218, 565.220, 565.225, 565.250, 565.252, 565.253, 565.255, 565.300, 565.350, 566.010, 566.013, 566.020, 566.023, 566.025, 566.030, 566.031, 566.032, 566.034, 566.060, 566.061, 566.062, 566.064, 566.067, 566.068, 566.083, 566.086, 566.093, 566.100, 566.101, 566.111, 566.135, 566.140, 566.141, 566.145, 566.147, 566.148, 566.149, 566.150, 566.151, 566.153, 566.155, 566.203, 566.206, 566.209, 566.212, 566.213, 566.215, 566.218, 566.221, 566.224, 566.226, 566.265, 567.010, 567.020, 567.030, 567.040, 567.050, 567.060, 567.070, 567.080, 567.085, 567.087, 567.110, 567.120, 568.010, 568.020, 568.030, 568.032, 568.040, 568.045, 568.050, 568.052, 568.060, 568.065, 568.070, 568.080, 568.090, 568.100, 568.110, 568.120, 568.175, 569.010, 569.020, 569.025, 569.030, 569.035, 569.040, 569.050, 569.055, 569.060, 569.065, 569.067, 569.070, 569.072, 569.080, 569.090, 569.094, 569.095, 569.097, 569.099, 569.100, 569.120, 569.130, 569.140, 569.145, 569.150, 569.155, 569.160, 569.170, 569.180, 570.010, 570.020, 570.030, 570.033, 570.040, 570.050, 570.055, 570.070, 570.080, 570.085, 570.087, 570.090, 570.100, 570.103, 570.110, 570.120, 570.123, 570.125, 570.130, 570.135, 570.140, 570.145, 570.150, 570.155, 570.160, 570.170, 570.180, 570.190, 570.200, 570.210, 570.215, 570.217, 570.219, 570.220, 570.222, 570.223, 570.224, 570.225, 570.226, 570.230, 570.235, 570.240, 570.241, 570.245, 570.255, 570.300, 570.310, 570.380, 571.010, 571.014, 571.015, 571.017, 571.020, 571.030, 571.045, 571.050, 571.060, 571.063, 571.070, 571.072, 571.080, 571.085, 571.087, 571.093, 571.095, 571.101, 571.104, 571.107, 571.111, 571.114, 571.117, 571.121, 571.150, 572.010, 572.020, 572.030, 572.040, 572.050, 572.060, 572.070, 572.110, 572.120, 573.010, 573.013, 573.020, 573.023, 573.025, 573.030, 573.035, 573.037, 573.040, 573.050, 573.052, 573.060, 573.065, 573.090, 573.100, 573.500, 573.509, 573.528, 573.531, 574.010, 574.020, 574.030, 574.040, 574.050, 574.060, 574.070, 574.075, 574.085, 574.105, 574.115, 575.020, 575.021, 575.030, 575.040, 575.050, 575.060, 575.070, 575.080, 575.090, 575.100, 575.110, 575.120, 575.130, 575.145, 575.150, 575.153, 575.159, 575.160, 575.170, 575.180, 575.190, 575.195, 575.200, 575.205, 575.206, 575.210, 575.220, 575.230, 575.240, 575.250, 575.260, 575.270, 575.280, 575.290, 575.300, 575.310, 575.320, 575.350, 575.353, 576.010, 576.020, 576.030, 576.040, 576.050, 576.060, 576.070, 576.080, 577.001, 577.005, 577.006, 577.010, 577.012, 577.017, 577.020, 577.021, 577.023, 577.026, 577.029, 577.031, 577.037, 577.039, 577.041, 577.049, 577.051, 577.052, 577.054, 577.060, 577.065, 577.068, 577.070, 577.071, 577.073, 577.075, 577.076, 577.080, 577.090, 577.100, 577.105, 577.110, 577.150, 577.155, 577.160, 577.161, 577.201, 577.203, 577.206, 577.208, 577.211, 577.214, 577.217, 577.221, 577.500, 577.505, 577.510, 577.515, 577.520, 577.525, 577.530, 577.600, 577.602, 577.604, 577.606, 577.608, 577.610, 577.612, 577.614, 577.625, 577.628, 577.675, 577.680, 578.008, 578.009, 578.012, 578.018, 578.021, 578.023, 578.024, 578.025, 578.027, 578.028, 578.029, 578.030, 578.075, 578.095, 578.100, 578.105, 578.106, 578.110, 578.120, 578.150, 578.151, 578.152, 578.153, 578.154, 578.173, 578.176, 578.200, 578.205, 578.210, 578.215, 578.220, 578.225, 578.250, 578.255, 578.260, 578.265, 578.300, 578.305, 578.310, 578.315, 578.320, 578.325, 578.330, 578.350, 578.353, 578.360, 578.363, 578.365, 578.375, 578.377, 578.379, 578.381, 578.383, 578.385, 578.387, 578.389, 578.390, 578.405, 578.407,

578.409, 578.412, 578.414, 578.416, 578.418, 578.420, 578.421, 578.425, 578.430, 578.433, 578.437, 578.445, 578.450, 578.500, 578.501, 578.502, 578.503, 578.510, 578.520, 578.525, 578.530, 578.570, 578.614, 589.015, 589.425, 590.700, 610.125, 630.155, 630.165, 660.250, 660.255, 660.260, 660.261, 660.263, 660.265, 660.270, 660.275, 660.280, 660.285, 660.290, 660.295, 660.300, 660.305, 660.310, 660.315, 660.317, 660.320, 660.321, and 701.320, RSMo, and section 130.028 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 130.028 as enacted by conference committee substitute for house committee substitute for senate bill no. 650, eighty-ninth general assembly, second regular session, and section 130.031 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 130.031 as enacted by conference committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, and section 476.055 as enacted by senate committee substitute for house bill no. 1460 merged with conference committee substitute for house committee substitute for senate bill no. 628, ninety-sixth general assembly, second regular session, and section 476.055 as enacted by conference committee substitute for house committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, and to enact in lieu thereof seven hundred nine new sections for the sole purpose of restructuring the Missouri criminal code, with penalty provisions and an effective date.

Was called from the Informal Calendar and taken up by Senator Justus.

**SCS for HCS for HB 1371**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1371

An Act to repeal sections 32.057, 105.478, 115.631, 142.909, 142.911, 143.1001, 143.1003, 149.200, 160.261, 167.115, 167.171, 168.071, 188.030, 190.621, 191.905, 191.914, 193.315, 194.410, 194.425, 195.005, 195.010, 195.015, 195.016, 195.017, 195.025, 195.030, 195.040, 195.050, 195.060, 195.080, 195.100, 195.110, 195.130, 195.135, 195.140, 195.150, 195.180, 195.190, 195.195, 195.198, 195.202, 195.204, 195.211, 195.212, 195.213, 195.214, 195.217, 195.218, 195.219, 195.222, 195.223, 195.226, 195.233, 195.235, 195.241, 195.242, 195.246, 195.248, 195.252, 195.254, 195.256, 195.275, 195.280, 195.285, 195.291, 195.292, 195.295, 195.296, 195.367, 195.369, 195.371, 195.375, 195.417, 195.418, 195.420, 195.501, 195.503, 195.505, 195.507, 195.509, 195.511, 195.515, 196.979, 197.266, 197.326, 198.015, 198.070, 198.097, 198.158, 205.965, 210.117, 210.165, 210.1012, 217.010, 211.038, 214.410, 217.360, 217.364, 217.385, 217.400, 217.405, 217.541, 217.542, 217.543, 217.692, 217.703, 217.735, 217.785, 221.025, 221.111, 221.353, 252.235, 253.080, 260.207, 260.208, 260.211, 260.212, 270.260, 276.421, 276.536, 277.180, 285.306, 285.308, 287.128, 287.129, 288.250, 288.395, 301.390, 301.400, 301.401, 301.570, 301.640, 302.015, 302.020, 302.309, 302.321, 302.500, 302.540, 302.541, 302.605, 302.700, 302.705, 302.710, 302.727, 302.745, 302.750, 302.755, 302.780, 303.024, 303.025, 304.070, 306.110, 306.111, 306.112, 306.114, 306.116, 306.117, 306.118, 306.119, 306.141, 306.420, 311.325, 313.004, 313.040, 313.290, 313.550, 313.660, 313.830, 317.018, 320.089, 320.161, 324.1142, 324.1148, 334.250, 335.096, 338.195, 338.315, 338.370, 354.320, 362.170, 367.031, 367.045, 374.210, 374.216, 374.702, 374.757, 374.789, 375.310, 375.537, 375.720, 375.786, 375.991, 375.1176, 375.1287, 380.391, 382.275, 389.653, 407.020, 407.095, 407.420, 407.436, 407.516, 407.521, 407.536, 407.544, 407.740, 407.1082, 407.1252, 411.260, 411.287, 411.371, 411.517, 411.770, 413.229, 429.012, 429.013, 429.014,

436.485, 443.810, 443.819, 453.110, 455.085, 455.538, 542.402, 544.665, 556.011, 556.016, 556.021, 556.022, 556.026, 556.036, 556.037, 556.041, 556.046, 556.051, 556.056, 556.061, 556.063, 557.016, 557.021, 557.026, 557.031, 557.035, 557.036, 557.041, 557.046, 558.011, 558.016, 558.018, 558.019, 558.031, 558.041, 558.046, 559.012, 559.021, 559.036, 559.100, 559.106, 559.110, 559.115, 559.120, 559.125, 559.600, 559.604, 559.633, 560.011, 560.016, 560.021, 560.026, 560.031, 560.036, 561.016, 561.021, 561.026, 562.011, 562.016, 562.031, 562.036, 562.041, 562.051, 562.056, 562.061, 562.066, 562.071, 562.076, 562.086, 563.021, 563.026, 563.046, 563.051, 563.056, 563.061, 563.070, 564.011, 564.016, 565.002, 565.004, 565.021, 565.023, 565.024, 565.025, 565.035, 565.050, 565.060, 565.063, 565.065, 565.070, 565.072, 565.073, 565.074, 565.075, 565.080, 565.081, 565.082, 565.083, 565.084, 565.085, 565.086, 565.090, 565.092, 565.095, 565.100, 565.110, 565.115, 565.120, 565.130, 565.140, 565.149, 565.150, 565.153, 565.156, 565.160, 565.163, 565.165, 565.169, 565.180, 565.182, 565.184, 565.186, 565.188, 565.190, 565.200, 565.210, 565.212, 565.214, 565.216, 565.218, 565.220, 565.225, 565.250, 565.252, 565.253, 565.255, 565.300, 565.350, 566.010, 566.013, 566.020, 566.023, 566.030, 566.031, 566.032, 566.034, 566.060, 566.061, 566.062, 566.064, 566.067, 566.068, 566.083, 566.086, 566.093, 566.100, 566.101, 566.111, 566.135, 566.140, 566.141, 566.145, 566.147, 566.148, 566.149, 566.150, 566.151, 566.153, 566.155, 566.203, 566.206, 566.209, 566.212, 566.213, 566.215, 566.218, 566.221, 566.224, 566.226, 566.265, 567.010, 567.020, 567.030, 567.040, 567.050, 567.060, 567.070, 567.080, 567.085, 567.087, 567.110, 567.120, 568.010, 568.020, 568.030, 568.032, 568.040, 568.045, 568.050, 568.052, 568.060, 568.065, 568.070, 568.080, 568.090, 568.100, 568.110, 568.120, 568.175, 569.010, 569.020, 569.025, 569.030, 569.035, 569.040, 569.050, 569.055, 569.060, 569.065, 569.067, 569.070, 569.072, 569.080, 569.090, 569.094, 569.095, 569.097, 569.099, 569.100, 569.120, 569.140, 569.145, 569.150, 569.155, 569.160, 569.170, 569.180, 570.010, 570.020, 570.030, 570.033, 570.040, 570.050, 570.055, 570.070, 570.080, 570.085, 570.087, 570.090, 570.100, 570.103, 570.110, 570.120, 570.123, 570.125, 570.130, 570.135, 570.140, 570.145, 570.150, 570.155, 570.160, 570.170, 570.180, 570.190, 570.200, 570.210, 570.215, 570.217, 570.219, 570.220, 570.222, 570.223, 570.224, 570.225, 570.226, 570.230, 570.235, 570.240, 570.241, 570.245, 570.255, 570.300, 570.310, 570.380, 572.010, 572.020, 572.030, 572.040, 572.050, 572.060, 572.070, 572.110, 572.120, 573.010, 573.013, 573.020, 573.023, 573.025, 573.030, 573.035, 573.037, 573.040, 573.050, 573.052, 573.060, 573.065, 573.090, 573.100, 573.500, 573.509, 573.528, 573.531, 574.010, 574.020, 574.030, 574.035, 574.040, 574.050, 574.060, 574.070, 574.075, 574.085, 574.105, 574.115, 575.020, 575.021, 575.030, 575.040, 575.050, 575.060, 575.070, 575.080, 575.090, 575.100, 575.110, 575.120, 575.130, 575.145, 575.150, 575.153, 575.159, 575.160, 575.170, 575.180, 575.190, 575.195, 575.200, 575.205, 575.206, 575.210, 575.220, 575.230, 575.240, 575.250, 575.260, 575.270, 575.280, 575.290, 575.300, 575.310, 575.320, 575.350, 575.353, 576.010, 576.020, 576.030, 576.040, 576.050, 576.060, 576.070, 576.080, 577.001, 577.005, 577.006, 577.010, 577.012, 577.017, 577.020, 577.021, 577.023, 577.026, 577.029, 577.031, 577.037, 577.039, 577.049, 577.051, 577.052, 577.054, 577.060, 577.065, 577.068, 577.070, 577.071, 577.073, 577.075, 577.076, 577.080, 577.090, 577.100, 577.105, 577.110, 577.150, 577.155, 577.160, 577.161, 577.201, 577.203, 577.206, 577.208, 577.211, 577.214, 577.217, 577.221, 577.500, 577.505, 577.510, 577.515, 577.520, 577.525, 577.530, 577.600, 577.602, 577.604, 577.606, 577.608, 577.610, 577.612, 577.614, 577.625, 577.628, 577.675, 577.680, 578.008, 578.009, 578.012, 578.018, 578.021, 578.023, 578.024, 578.025, 578.027, 578.028, 578.029, 578.030, 578.050, 578.075, 578.095, 578.150, 578.151, 578.152, 578.153, 578.154, 578.173, 578.176, 578.200, 578.205, 578.210, 578.215, 578.220, 578.225, 578.250, 578.255, 578.260, 578.265, 578.300, 578.305, 578.310, 578.315, 578.320, 578.325, 578.330, 578.350, 578.353, 578.360, 578.363, 578.365, 578.375, 578.377, 578.379, 578.381, 578.383, 578.385,

578.387, 578.389, 578.390, 578.392, 578.405, 578.407, 578.409, 578.412, 578.414, 578.416, 578.418, 578.420, 578.421, 578.425, 578.430, 578.433, 578.437, 578.445, 578.450, 578.510, 578.520, 578.525, 578.530, 578.570, 578.614, 589.015, 589.400, 589.425, 590.700, 610.125, 630.155, 630.165, 632.480, 660.250, 660.255, 660.260, 660.261, 660.263, 660.265, 660.270, 660.275, 660.280, 660.285, 660.290, 660.295, 660.300, 660.305, 660.310, 660.315, 660.317, 660.320, 660.321, and 701.320, RSMo, section 130.028 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.028 as enacted by conference committee substitute for house committee substitute for senate bill no. 650, eighty-ninth general assembly, second regular session, section 130.031 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 302.060 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session, section 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402 merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, section 302.304 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session, section 302.304 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, section 476.055 as enacted by senate committee substitute for house bill no. 1460 merged with conference committee substitute for house committee substitute for senate bill no. 628, ninety-sixth general assembly, second regular session, section 476.055 as enacted by conference committee substitute for house committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, section 577.041 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session, and section 577.041 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill nos. 1695, 1742 & 1672, ninety-fifth general assembly, second regular session, and to enact in lieu thereof six hundred eighty-five new sections for the sole purpose of restructuring the Missouri criminal code, with penalty provisions and an effective date.

Was taken up.

Senator Justus moved that **SCS** for **HCS** for **HB 1371** be adopted.

Senator Justus offered **SS** for **SCS** for **HCS** for **HB 1371**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1371

An Act to repeal sections 160.261, 167.115, 167.171, 188.030, 195.130, 210.117, 211.038, 217.010, 217.703, 260.211, 260.212, 556.061, 558.019, 559.036, 559.106, 559.115, 559.633, 565.002, 565.073, 566.135, 566.147, 566.148, 566.149, 577.001, 577.010, 577.020, 577.037, 577.041, and 660.315, RSMo, and section 476.055 as enacted by senate committee substitute for house bill no. 1460 merged with conference committee substitute for house committee substitute for senate bill no. 628, ninety-sixth general assembly, second regular session, section 476.055 as enacted by conference committee substitute for house

committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, and sections 160.261, 167.115, 167.171, 188.030, 197.1036, 210.117, 211.038, 217.010, 217.703, 260.211, 260.212, 476.055, 545.940, 556.061, 558.019, 559.036, 559.106, 559.115, 559.633, 565.002, 565.073, 566.147, 566.148, 566.149, 577.001, 577.010, 577.013, 577.020, 577.037, 577.041, 579.060, and 579.105 as enacted by house committee substitute for senate substitute for senate committee substitute for senate bill no. 491, ninety-seventh general assembly, second regular session, and to enact in lieu thereof thirty-two new sections relating to the Missouri criminal code restructuring, with penalty provisions and an effective date for certain sections.

Senator Justus moved that **SS** for **SCS** for **HCS** for **HB 1371** be adopted, which motion prevailed.

On motion of Senator Justus, **SS** for **SCS** for **HCS** for **HB 1371** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Justus, title to the bill was agreed to.

Senator Justus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 1865**, introduced by Representative Redmon, et al, with **SCS**, entitled:

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof two new sections relating to tax exemptions for utilities used in food preparation.

Was called from the Informal Calendar and taken up by Senator Libla.

**SCS** for **HB 1865**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1865

An Act to repeal section 143.451, RSMo, and to enact in lieu thereof two new sections relating to taxation.

Was taken up.

Senator Libla moved that **SCS** for **HB 1865** be adopted.

Senator Libla offered **SS** for **SCS** for **HB 1865**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1865

An Act to repeal section 143.451, RSMo, and to enact in lieu thereof two new sections relating to taxation.

Senator Libla moved that **SS** for **SCS** for **HB 1865** be adopted, which motion prevailed.

On motion of Senator Libla, **SS** for **SCS** for **HB 1865** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Wasson—28				

NAYS—Senator Keaveny—1

Absent—Senators

Justus            Walsh—2

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Libla, title to the bill was agreed to.

Senator Libla moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 1831**, with **SCS**, entitled:

An Act to repeal section 210.211, RSMo, and to enact in lieu thereof one new section relating to child care facilities.

Was called from the Informal Calendar and taken up by Senator Schmitt.

**SCS** for **HCS** for **HB 1831**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1831

An Act to repeal section 210.211, RSMo, and to enact in lieu thereof one new section relating to child care facilities.

Was taken up.

Senator Schmitt moved that **SCS** for **HCS** for **HB 1831** be adopted.

Senator Keaveny offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1831, Page 1, In the Title, Line 3, by striking “child care facilities” and inserting in lieu thereof the following: “education for minors”; and

Further amend said bill and page, section A, line 2, by inserting after all of said line the following:

“160.053. 1. **If a school district maintains a prekindergarten program, a child is eligible for admission to that prekindergarten program only if the child has reached the age of three before the first day of August of the school year beginning in that calendar year.** If a school district maintains a kindergarten program, a child is eligible for admission to kindergarten and to the summer school session immediately preceding kindergarten, if offered, if the child reaches the age of five before the first day of August of the school year beginning in that calendar year or if the child is a military dependent who has successfully completed an accredited prekindergarten program or has attended an accredited kindergarten program in another state. A child is eligible for admission to first grade if the child reaches the age of six before the first day of August of the school year beginning in that calendar year or if the child is a military dependent who has successfully completed an accredited kindergarten program in another state.

2. Any kindergarten or grade one pupil beginning the school term and any pupil beginning summer school prior to a kindergarten school term in a metropolitan school district or an urban school district containing the greater part of the population of a city which has more than three hundred thousand inhabitants pursuant to section 160.054 or 160.055 and subsequently transferring to another school district in this state in which the child’s birth date would preclude such child’s eligibility for entrance shall be deemed eligible for attendance and shall not be required to meet the minimum age requirements. The receiving school district shall receive state aid for the child, notwithstanding the provisions of section 160.051.

3. Any child who completes the kindergarten year shall not be required to meet the age requirements of a district for entrance into grade one.

4. The provisions of this section relating to kindergarten instruction and state aid therefor shall not apply during any particular school year to those districts which do not provide kindergarten classes that year.

160.054. 1. Notwithstanding any provisions of sections 160.051 and 160.053, to the contrary, beginning with the 1997-98 school year, all metropolitan school districts, except as provided in subsection 2 of this section, may establish and enforce a regulation which requires that a child shall have attained the age of **three by August first for purposes of prekindergarten if a school district maintains such a program, the age of five** for purposes of kindergarten and summer school prior to a kindergarten school term, and the age of six for purposes of grade one, on or before any date between August first and October first of that year. The school district shall receive state aid for any child admitted to kindergarten, summer school prior to kindergarten, or grade one pursuant to this section, notwithstanding the provisions of section 160.051.

2. Any kindergarten or grade one pupil beginning the school term and any pupil beginning summer school prior to a kindergarten school term in a metropolitan school district and subsequently transferring to another school district in this state in which the child’s birth date would preclude such child’s eligibility

for entrance shall be deemed eligible for attendance and shall not be required to meet the minimum age requirements. The receiving school district shall receive state aid for the child, notwithstanding the provisions of section 160.051.

3. Any child who completes the kindergarten year in a metropolitan school district shall not be required to meet the minimum age requirements of another school district in this state for entrance into grade one.

4. The provisions of subsections 1 and 2 of this section, relating to kindergarten instruction and state aid therefor, shall not apply during any particular school year to those districts which do not provide kindergarten classes that year.

160.055. 1. Notwithstanding any provisions of sections 160.051 and 160.053, to the contrary, beginning with the 1997-98 school year, all urban school districts containing the greater part of the population of a city which has more than three hundred thousand inhabitants, except as provided in subsection 2 of this section, may establish and enforce a regulation which requires that a child shall have attained the age of **three by August first for purposes of prekindergarten if a school district maintains such a program, the age of five** for purposes of kindergarten and summer school prior to a kindergarten school term, and the age of six for purposes of grade one, on or before any date between August first and October first of that year. The school district shall receive state aid for any child admitted to kindergarten, summer school prior to kindergarten, or grade one pursuant to this section, notwithstanding the provisions of section 160.051.

2. Any kindergarten or grade one pupil beginning the school term and any pupil beginning summer school prior to a kindergarten school term in an urban school district in this state containing the greater part of the population of a city which has more than three hundred thousand inhabitants and subsequently transferring to another school district in this state in which the child's birth date would preclude such child's eligibility for entrance shall be deemed eligible for attendance and shall not be required to meet the minimum age requirements. The receiving school district shall receive state aid for the child, notwithstanding the provisions of section 160.051.

3. Any child who completes the kindergarten year in an urban school district containing the greater part of the population of a city which has more than three hundred thousand inhabitants shall not be required to meet the minimum age requirements of another school district in this state for entrance into grade one.

4. The provisions of subsections 1 and 2 of this section, relating to kindergarten instruction and state aid therefor, shall not apply during any particular school year to those districts which do not provide kindergarten classes that year.

163.011. As used in this chapter unless the context requires otherwise:

(1) "Adjusted operating levy", the sum of tax rates for the current year for teachers' and incidental funds for a school district as reported to the proper officer of each county pursuant to section 164.011;

(2) "Average daily attendance", the quotient or the sum of the quotients obtained by dividing the total number of hours attended in a term by resident pupils between the ages of five and twenty-one by the actual number of hours school was in session in that term. To the average daily attendance of the following school term shall be added the full-time equivalent average daily attendance of summer school students. "Full-time equivalent average daily attendance of summer school students" shall be computed by dividing the total number of hours, except for physical education hours that do not count as credit toward graduation for students in grades nine, ten, eleven, and twelve, attended by all summer school pupils by the number of hours required in section 160.011 in the school term. For purposes of determining average daily attendance



under this subdivision, the term “resident pupil” shall include all children between the ages of five and twenty-one who are residents of the school district and who are attending kindergarten through grade twelve in such district. If a child is attending school in a district other than the district of residence and the child’s parent is teaching in the school district or is a regular employee of the school district which the child is attending, then such child shall be considered a resident pupil of the school district which the child is attending for such period of time when the district of residence is not otherwise liable for tuition. Average daily attendance for students below the age of five years for which a school district may receive state aid based on such attendance shall be computed as regular school term attendance unless otherwise provided by law;

(3) “Current operating expenditures”:

(a) For the fiscal year 2007 calculation, “current operating expenditures” shall be calculated using data from fiscal year 2004 and shall be calculated as all expenditures for instruction and support services except capital outlay and debt service expenditures minus the revenue from federal categorical sources; food service; student activities; categorical payments for transportation costs pursuant to section 163.161; state reimbursements for early childhood special education; the career ladder entitlement for the district, as provided for in sections 168.500 to 168.515; the vocational education entitlement for the district, as provided for in section 167.332; and payments from other districts;

(b) In every fiscal year subsequent to fiscal year 2007, current operating expenditures shall be the amount in paragraph (a) of this subdivision plus any increases in state funding pursuant to sections 163.031 and 163.043 subsequent to fiscal year 2005, not to exceed five percent, per recalculation, of the state revenue received by a district in the 2004-05 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments for any district from the first preceding calculation of the state adequacy target. Beginning on July 1, 2010, current operating expenditures shall be the amount in paragraph (a) of this subdivision plus any increases in state funding pursuant to sections 163.031 and 163.043 subsequent to fiscal year 2005 received by a district in the 2004-05 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments for any district from the first preceding calculation of the state adequacy target;

(4) “District’s tax rate ceiling”, the highest tax rate ceiling in effect subsequent to the 1980 tax year or any subsequent year. Such tax rate ceiling shall not contain any tax levy for debt service;

(5) “Dollar-value modifier”, an index of the relative purchasing power of a dollar, calculated as one plus fifteen percent of the difference of the regional wage ratio minus one, provided that the dollar value modifier shall not be applied at a rate less than 1.0:

(a) “County wage per job”, the total county wage and salary disbursements divided by the total county wage and salary employment for each county and the city of St. Louis as reported by the Bureau of Economic Analysis of the United States Department of Commerce for the fourth year preceding the payment year;

(b) “Regional wage per job”:

a. The total Missouri wage and salary disbursements of the metropolitan area as defined by the Office of Management and Budget divided by the total Missouri metropolitan wage and salary employment for the metropolitan area for the county signified in the school district number or the city of St. Louis, as reported

by the Bureau of Economic Analysis of the United States Department of Commerce for the fourth year preceding the payment year and recalculated upon every decennial census to incorporate counties that are newly added to the description of metropolitan areas; or if no such metropolitan area is established, then:

b. The total Missouri wage and salary disbursements of the micropolitan area as defined by the Office of Management and Budget divided by the total Missouri micropolitan wage and salary employment for the micropolitan area for the county signified in the school district number, as reported by the Bureau of Economic Analysis of the United States Department of Commerce for the fourth year preceding the payment year, if a micropolitan area for such county has been established and recalculated upon every decennial census to incorporate counties that are newly added to the description of micropolitan areas; or

c. If a county is not part of a metropolitan or micropolitan area as established by the Office of Management and Budget, then the county wage per job, as defined in paragraph (a) of this subdivision, shall be used for the school district, as signified by the school district number;

(c) “Regional wage ratio”, the ratio of the regional wage per job divided by the state median wage per job;

(d) “State median wage per job”, the fifty-eighth highest county wage per job;

(6) “Free and reduced lunch pupil count”, **for school districts not eligible for and those that do not choose the USDA Community Eligibility Option**, the number of pupils eligible for free and reduced lunch on the last Wednesday in January for the preceding school year who were enrolled as students of the district, as approved by the department in accordance with applicable federal regulations. **For eligible school districts that choose the USDA Community Eligibility Option, the free and reduced lunch pupil count shall be the percentage of free and reduced lunch students calculated as eligible on the last Wednesday in January of the most recent school year that included household applications to determine free and reduced lunch count multiplied by the district’s average daily attendance figure;**

(7) “Free and reduced lunch threshold” shall be calculated by dividing the total free and reduced lunch pupil count of every performance district that falls entirely above the bottom five percent and entirely below the top five percent of average daily attendance, when such districts are rank-ordered based on their current operating expenditures per average daily attendance, by the total average daily attendance of all included performance districts;

(8) “Limited English proficiency pupil count”, the number in the preceding school year of pupils aged three through twenty-one enrolled or preparing to enroll in an elementary school or secondary school who were not born in the United States or whose native language is a language other than English or are Native American or Alaskan native, or a native resident of the outlying areas, and come from an environment where a language other than English has had a significant impact on such individuals’ level of English language proficiency, or are migratory, whose native language is a language other than English, and who come from an environment where a language other than English is dominant; and have difficulties in speaking, reading, writing, or understanding the English language sufficient to deny such individuals the ability to meet the state’s proficient level of achievement on state assessments described in Public Law 107-10, the ability to achieve successfully in classrooms where the language of instruction is English, or the opportunity to participate fully in society;

(9) “Limited English proficiency threshold” shall be calculated by dividing the total limited English proficiency pupil count of every performance district that falls entirely above the bottom five percent and

entirely below the top five percent of average daily attendance, when such districts are rank-ordered based on their current operating expenditures per average daily attendance, by the total average daily attendance of all included performance districts;

(10) “Local effort”:

(a) For the fiscal year 2007 calculation, “local effort” shall be computed as the equalized assessed valuation of the property of a school district in calendar year 2004 divided by one hundred and multiplied by the performance levy less the percentage retained by the county assessor and collector plus one hundred percent of the amount received in fiscal year 2005 for school purposes from intangible taxes, fines, escheats, payments in lieu of taxes and receipts from state-assessed railroad and utility tax, one hundred percent of the amount received for school purposes pursuant to the merchants’ and manufacturers’ taxes under sections 150.010 to 150.370, one hundred percent of the amounts received for school purposes from federal properties under sections 12.070 and 12.080 except when such amounts are used in the calculation of federal impact aid pursuant to P.L. 81-874, fifty percent of Proposition C revenues received for school purposes from the school district trust fund under section 163.087, and one hundred percent of any local earnings or income taxes received by the district for school purposes. Under this paragraph, for a special district established under sections 162.815 to 162.940 in a county with a charter form of government and with more than one million inhabitants, a tax levy of zero shall be utilized in lieu of the performance levy for the special school district;

(b) In every year subsequent to fiscal year 2007, “local effort” shall be the amount calculated under paragraph (a) of this subdivision plus any increase in the amount received for school purposes from fines. If a district’s assessed valuation has decreased subsequent to the calculation outlined in paragraph (a) of this subdivision, the district’s local effort shall be calculated using the district’s current assessed valuation in lieu of the assessed valuation utilized in the calculation outlined in paragraph (a) of this subdivision. **When a change in a school district’s boundary lines occurs because of a boundary line change, annexation, attachment, consolidation, reorganization, or dissolution under section 162.071, 162.081, sections 162.171 to 162.201, section 162.221, 162.223, 162.431, 162.441, or 162.451, or in the event that a school district assumes any territory from a district that ceases to exist for any reason, the department of elementary and secondary education shall make a proper adjustment to each affected district’s local effort, so that each district’s local effort figure conforms to the new boundary lines of the district. The department shall compute the local effort figure by applying the calendar year 2004 assessed valuation data to the new land areas resulting from the boundary line change, annexation, attachment, consolidation, reorganization, or dissolution and otherwise follow the procedures described in this subdivision;**

(11) “Membership” shall be the average of:

(a) The number of resident full-time students and the full-time equivalent number of part-time students who were enrolled in the public schools of the district on the last Wednesday in September of the previous year and who were in attendance one day or more during the preceding ten school days; and

(b) The number of resident full-time students and the full-time equivalent number of part-time students who were enrolled in the public schools of the district on the last Wednesday in January of the previous year and who were in attendance one day or more during the preceding ten school days, plus the full-time equivalent number of summer school pupils. “Full-time equivalent number of part-time students” is determined by dividing the total number of hours for which all part-time students are enrolled by the number

of hours in the school term. “Full-time equivalent number of summer school pupils” is determined by dividing the total number of hours for which all summer school pupils were enrolled by the number of hours required pursuant to section 160.011 in the school term. Only students eligible to be counted for average daily attendance shall be counted for membership;

(12) “Operating levy for school purposes”, the sum of tax rates levied for teachers’ and incidental funds plus the operating levy or sales tax equivalent pursuant to section 162.1100 of any transitional school district containing the school district, in the payment year, not including any equalized operating levy for school purposes levied by a special school district in which the district is located;

(13) “Performance district”, any district that has met [all] performance standards and indicators as established by the department of elementary and secondary education for purposes of accreditation under section 161.092 and as reported on the final annual performance report for that district each year; **for calculations to be utilized for payments in fiscal years subsequent to fiscal year 2018, the number of performance districts shall not exceed twenty-five percent of all public school districts;**

(14) “Performance levy”, three dollars and forty-three cents;

(15) “School purposes” pertains to teachers’ and incidental funds;

(16) “Special education pupil count”, the number of public school students with a current individualized education program or services plan and receiving services from the resident district as of December first of the preceding school year, except for special education services provided through a school district established under sections 162.815 to 162.940 in a county with a charter form of government and with more than one million inhabitants, in which case the sum of the students in each district within the county exceeding the special education threshold of each respective district within the county shall be counted within the special district and not in the district of residence for purposes of distributing the state aid derived from the special education pupil count;

(17) “Special education threshold” shall be calculated by dividing the total special education pupil count of every performance district that falls entirely above the bottom five percent and entirely below the top five percent of average daily attendance, when such districts are rank-ordered based on their current operating expenditures per average daily attendance, by the total average daily attendance of all included performance districts;

(18) “State adequacy target”, the sum of the current operating expenditures of every performance district that falls entirely above the bottom five percent and entirely below the top five percent of average daily attendance, when such districts are rank-ordered based on their current operating expenditures per average daily attendance, divided by the total average daily attendance of all included performance districts. The department of elementary and secondary education shall first calculate the state adequacy target for fiscal year 2007 and recalculate the state adequacy target every two years using the most current available data. The recalculation shall never result in a decrease from the previous state adequacy target amount. Should a recalculation result in an increase in the state adequacy target amount, fifty percent of that increase shall be included in the state adequacy target amount in the year of recalculation, and fifty percent of that increase shall be included in the state adequacy target amount in the subsequent year. The state adequacy target may be adjusted to accommodate available appropriations **as provided in subsection 8 of section 163.031;**

(19) “Teacher”, any teacher, teacher-secretary, substitute teacher, supervisor, principal, supervising principal, superintendent or assistant superintendent, school nurse, social worker, counselor or librarian who

shall, regularly, teach or be employed for no higher than grade twelve more than one-half time in the public schools and who is certified under the laws governing the certification of teachers in Missouri;

(20) “Weighted average daily attendance”, the average daily attendance plus the product of twenty-five hundredths multiplied by the free and reduced lunch pupil count that exceeds the free and reduced lunch threshold, plus the product of seventy-five hundredths multiplied by the number of special education pupil count that exceeds the special education threshold, plus the product of six-tenths multiplied by the number of limited English proficiency pupil count that exceeds the limited English proficiency threshold. For special districts established under sections 162.815 to 162.940 in a county with a charter form of government and with more than one million inhabitants, weighted average daily attendance shall be the average daily attendance plus the product of twenty-five hundredths multiplied by the free and reduced lunch pupil count that exceeds the free and reduced lunch threshold, plus the product of seventy-five hundredths multiplied by the sum of the special education pupil count that exceeds the threshold for each county district, plus the product of six-tenths multiplied by the limited English proficiency pupil count that exceeds the limited English proficiency threshold. None of the districts comprising a special district established under sections 162.815 to 162.940 in a county with a charter form of government and with more than one million inhabitants, shall use any special education pupil count in calculating their weighted average daily attendance.

**163.018. 1. Notwithstanding the definition of “average daily attendance” in subdivision (2) of section 163.011 to the contrary, pupils between the ages of three and five who are eligible for free and reduced lunch and attend an early childhood education program that is operated by and in a district or by a charter school that has declared itself as a local educational agency providing full-day kindergarten and that meets standards established by the state board of education, shall be included in the district’s or charter school’s calculation of average daily attendance. The total number of such pupils included in the district’s or charter school’s calculation of average daily attendance shall not exceed four percent of the total number of pupils who are eligible for free and reduced lunch between the ages of three and eighteen who are included in the district’s or charter school’s calculation of average daily attendance.**

**2. (1) For any district that has been declared unaccredited by the state board of education and remains unaccredited as of July 1, 2015, the provisions of subsection 1 of this section shall become applicable during the 2015-2016 school year;**

**(2) For any district that is declared unaccredited by the state board of education after July 1, 2015, the provisions of subsection 1 of this section shall become applicable immediately upon such declaration;**

**(3) For any district that has been declared provisionally accredited by the state board of education and remains provisionally accredited as of July 1, 2016, the provisions of subsection 1 of this section shall become applicable beginning in the 2016-2017 school year;**

**(4) For any district that is declared provisionally accredited by the state board of education after July 1, 2016, the provisions of this section shall become applicable beginning in the 2016-2017 school year or immediately upon such declaration, whichever is later;**

**(5) For all other districts, the provisions of subsection 1 of this section shall become effective in any school year subsequent to a school year in which the amount appropriated for subsections 1 and 2 of section 163.031 is equal to or exceeds the amount necessary to fund the entire entitlement**

**calculation determined by subsections 1 and 2 of section 163.031, and shall remain effective in all school years thereafter, irrespective of the amount appropriated for subsections 1 and 2 of section 163.031 in any succeeding year.**

**3. This section shall not require school attendance beyond that mandated under section 167.031 and shall not change or amend the provisions of sections 160.051, 160.053, 160.054, and 160.055 relating to kindergarten attendance.**

163.031. 1. The department of elementary and secondary education shall calculate and distribute to each school district qualified to receive state aid under section 163.021 an amount determined by multiplying the district's weighted average daily attendance by the state adequacy target, multiplying this product by the dollar value modifier for the district, and subtracting from this product the district's local effort and, in years not governed under subsection 4 of this section, subtracting payments from the classroom trust fund under section 163.043.

2. Other provisions of law to the contrary notwithstanding:

(1) For districts with an average daily attendance of more than three hundred fifty in the school year preceding the payment year:

(a) For the 2006-07 school year, the state revenue per weighted average daily attendance received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the state revenue received by a district in the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one plus the product of one-third multiplied by the remainder of the dollar value modifier minus one, and dividing this product by the weighted average daily attendance computed for the 2005-06 school year;

(b) For the 2007-08 school year, the state revenue per weighted average daily attendance received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the state revenue received by a district in the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one plus the product of two-thirds multiplied by the remainder of the dollar value modifier minus one, and dividing this product by the weighted average daily attendance computed for the 2005-06 school year;

(c) For the 2008-09 school year, the state revenue per weighted average daily attendance received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the state revenue received by a district in the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the dollar value modifier, and dividing this product by the weighted average daily attendance computed for the 2005-06 school year;

(d) For each year subsequent to the 2008-09 school year, the amount shall be no less than that computed in paragraph (c) of this subdivision, multiplied by the weighted average daily attendance pursuant to section 163.036, less any increase in revenue received from the classroom trust fund under section 163.043;

(2) For districts with an average daily attendance of three hundred fifty or less in the school year preceding the payment year:

(a) For the 2006-07 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one plus the product of one-third multiplied by the remainder of the dollar value modifier minus one;

(b) For the 2007-08 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one plus the product of two-thirds multiplied by the remainder of the dollar value modifier minus one;

(c) For the 2008-09 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the dollar value modifier;

(d) For each year subsequent to the 2008-09 school year, the amount shall be no less than that computed in paragraph (c) of this subdivision;

(3) The department of elementary and secondary education shall make an addition in the payment amount specified in subsection 1 of this section to assure compliance with the provisions contained in this subsection.

3. School districts that meet the requirements of section 163.021 shall receive categorical add-on revenue as provided in this subsection. The categorical add-on for the district shall be the sum of: seventy-five percent of the district allowable transportation costs under section 163.161; the career ladder entitlement for the district, as provided for in sections 168.500 to 168.515; the vocational education entitlement for the district, as provided for in section 167.332; and the district educational and screening program entitlements as provided for in sections 178.691 to 178.699. The categorical add-on revenue amounts may be adjusted to accommodate available appropriations.

4. In the 2006-07 school year and each school year thereafter for five years, those districts entitled to receive state aid under the provisions of subsection 1 of this section shall receive state aid in an amount as provided in this subsection.

(1) For the 2006-07 school year, the amount shall be fifteen percent of the amount of state aid calculated for the district for the 2006-07 school year under the provisions of subsection 1 of this section, plus eighty-five percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(2) For the 2007-08 school year, the amount shall be thirty percent of the amount of state aid calculated for the district for the 2007-08 school year under the provisions of subsection 1 of this section, plus seventy percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook

payments less any amounts received under section 163.043.

(3) For the 2008-09 school year, the amount of state aid shall be forty-four percent of the amount of state aid calculated for the district for the 2008-09 school year under the provisions of subsection 1 of this section plus fifty-six percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(4) For the 2009-10 school year, the amount of state aid shall be fifty-eight percent of the amount of state aid calculated for the district for the 2009-10 school year under the provisions of subsection 1 of this section plus forty-two percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(5) For the 2010-11 school year, the amount of state aid shall be seventy-two percent of the amount of state aid calculated for the district for the 2010-11 school year under the provisions of subsection 1 of this section plus twenty-eight percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(6) For the 2011-12 school year, the amount of state aid shall be eighty-six percent of the amount of state aid calculated for the district for the 2011-12 school year under the provisions of subsection 1 of this section plus fourteen percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(7) (a) [Notwithstanding subdivision (18) of section 163.011, the state adequacy target may not be adjusted downward to accommodate available appropriations in any year governed by this subsection.

(b)] a. For the 2006-07 school year, if a school district experiences a decrease in summer school average daily attendance of more than twenty percent from the district's 2005-06 summer school average daily attendance, an amount equal to the product of the percent reduction that is in excess of twenty percent of the district's summer school average daily attendance multiplied by the funds generated by the district's summer school program in the 2005-06 school year shall be subtracted from the district's current year payment amount.

b. For the 2007-08 school year, if a school district experiences a decrease in summer school average daily attendance of more than thirty percent from the district's 2005-06 summer school average daily attendance, an amount equal to the product of the percent reduction that is in excess of thirty percent of the district's summer school average daily attendance multiplied by the funds generated by the district's summer school program in the 2005-06 school year shall be subtracted from the district's payment amount.

c. For the 2008-09 school year, if a school district experiences a decrease in summer school average daily attendance of more than thirty-five percent from the district's 2005-06 summer school average daily attendance, an amount equal to the product of the percent reduction that is in excess of thirty-five percent of the district's summer school average daily attendance multiplied by the funds generated by the district's summer school program in the 2005-06 school year shall be subtracted from the district's payment amount.

d. Notwithstanding the provisions of this paragraph, no such reduction shall be made in the case of a district that is receiving a payment under section 163.044 or any district whose regular school term average



daily attendance for the preceding year was three hundred fifty or less.

e. This paragraph shall not be construed to permit any reduction applied under this paragraph to result in any district receiving a current-year payment that is less than the amount calculated for such district under subsection 2 of this section.

[(c)] (b) If a school district experiences a decrease in its gifted program enrollment of more than twenty percent from its 2005-06 gifted program enrollment in any year governed by this subsection, an amount equal to the product of the percent reduction in the district's gifted program enrollment multiplied by the funds generated by the district's gifted program in the 2005-06 school year shall be subtracted from the district's current year payment amount.

5. For any school district meeting the eligibility criteria for state aid as established in section 163.021, but which is considered an option district under section 163.042 and therefore receives no state aid, the commissioner of education shall present a plan to the superintendent of the school district for the waiver of rules and the duration of said waivers, in order to promote flexibility in the operations of the district and to enhance and encourage efficiency in the delivery of instructional services as provided in section 163.042.

6. (1) No less than seventy-five percent of the state revenue received under the provisions of subsections 1, 2, and 4 of this section shall be placed in the teachers' fund, and the remaining percent of such moneys shall be placed in the incidental fund. No less than seventy-five percent of one-half of the funds received from the school district trust fund distributed under section 163.087 shall be placed in the teachers' fund. One hundred percent of revenue received under the provisions of section 163.161 shall be placed in the incidental fund. One hundred percent of revenue received under the provisions of sections 168.500 to 168.515 shall be placed in the teachers' fund.

(2) A school district shall spend for certificated compensation and tuition expenditures each year:

(a) An amount equal to at least seventy-five percent of the state revenue received under the provisions of subsections 1, 2, and 4 of this section;

(b) An amount equal to at least seventy-five percent of one-half of the funds received from the school district trust fund distributed under section 163.087 during the preceding school year; and

(c) Beginning in fiscal year 2008, as much as was spent per the second preceding year's weighted average daily attendance for certificated compensation and tuition expenditures the previous year from revenue produced by local and county tax sources in the teachers' fund, plus the amount of the incidental fund to teachers' fund transfer calculated to be local and county tax sources by dividing local and county tax sources in the incidental fund by total revenue in the incidental fund. In the event a district fails to comply with this provision, the amount by which the district fails to spend funds as provided herein shall be deducted from the district's state revenue received under the provisions of subsections 1, 2, and 4 of this section for the following year, provided that the state board of education may exempt a school district from this provision if the state board of education determines that circumstances warrant such exemption.

7. If a school district's annual audit discloses that students were inappropriately identified as eligible for free and reduced lunch, special education, or limited English proficiency and the district does not resolve the audit finding, the department of elementary and secondary education shall require that the amount of aid paid pursuant to the weighting for free and reduced lunch, special education, or limited English proficiency in the weighted average daily attendance on the inappropriately identified pupils be repaid by the district in the next school year and shall additionally impose a penalty of one hundred percent of such

aid paid on such pupils, which penalty shall also be paid within the next school year. Such amounts may be repaid by the district through the withholding of the amount of state aid.

**8. Notwithstanding any provision of law to the contrary, in any fiscal year during which the total formula appropriation is insufficient to fully fund the entitlement calculation of this section, the department of elementary and secondary education shall adjust the state adequacy target in order to accommodate the appropriation level for the given fiscal year. In no manner shall any payment modification be rendered for any district qualified to receive payments under subsection 2 of this section based on insufficient appropriations.”; and**

Further amend said bill, section 210.211, page 3, line 66, by inserting after all of said line the following:

“Section B. The repeal and reenactment of sections 160.053, 160.054, 160.055, 163.011, and 163.031 and the enactment of section 163.018 of this act shall become effective July 1, 2015.”; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted.

Senator Schmitt raised the point of order that **SA 1** is out of order as it goes beyond the scope of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Justus offered **SA 2**:

#### SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1831, Page 1, Section A, Line 2, by inserting immediately after said line the following:

“210.027. For child-care providers who receive state or federal funds for providing child-care [services in the home] **fee assistance**, either by direct payment or through reimbursement to a child-care beneficiary, the department of social services shall:

**(1) Establish publicly available website access to provider-specific information about any health and safety licensing or regulatory requirements for the providers, and including dates of inspections, history of violations, and compliance actions taken, as well as the consumer education information required under subdivision (12) of this section;**

**(2) Establish or designate one hotline for parents to submit complaints about child care providers;**

**(3) Be authorized to revoke the registration of a registered provider for due cause;**

**[(2)] (4) Require providers to be at least eighteen years of age;**

**[(3)] (5) Establish minimum requirements for building and physical premises to include:**

**(a) Compliance with state and local fire, health, and building codes, which shall include the ability to evacuate children in the case of an emergency; and**

**(b) Emergency preparedness and response planning.**

**Child care providers shall meet these minimum requirements prior to receiving federal assistance. Where there are no local ordinances or regulations regarding smoke detectors, the department shall require providers, by rule, to install and maintain an adequate number of smoke detectors in the residence or other**

**building** where child care is provided;

[(4)] **(6) Require providers to be tested for tuberculosis on the schedule required for employees in licensed facilities;**

[(5)] **(7) Require providers to notify parents if the provider does not have immediate access to a telephone;**

[(6)] **(8) Make providers aware of local opportunities for training in first aid and child care;**

**(9) Promulgate rules and regulations to define pre-service training requirements for child care providers and employees pursuant to applicable federal laws and regulations;**

**(10) Establish procedures for conducting unscheduled onsite monitoring of child care providers prior to receiving state or federal funds for providing child care services either by direct payment or through reimbursement to a child care beneficiary, and annually thereafter;**

**(11) Require child care providers who receive assistance under applicable federal laws and regulations to report to the department any serious injuries or death of children occurring in child care;**

**(12) With input from statewide stakeholders such as parents, child care providers or administrators, and system advocate groups, establish a transparent system of quality indicators appropriate to the provider setting that shall provide parents with a way to differentiate between child care providers available in their communities as required by federal rules. The system shall describe the standards used to assess the quality of child care providers and the measurement approaches for such assessment. The system shall indicate whether the provider meets Missouri's registration or licensing standards, is in compliance with applicable health and safety requirements, and the nature of any violations related to registration or licensing requirements. The system shall also indicate if the provider utilizes nationally-recognized curricula and if the provider is in compliance with staff educational requirements. Such system of quality indicators established under this subdivision with the input from stakeholders shall be promulgated by rules. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void. This subdivision shall not be construed as authorizing the operation, establishment, maintenance, or mandating or offering of incentives to participate in a quality rating system under section 161.216.”; and**

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt moved that **SCS for HCS for HB 1831**, as amended, be adopted, which motion prevailed.

On motion of Senator Schmitt, **SCS for HCS for HB 1831**, as amended, was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—30		

## NAYS—Senators—None

Absent—Senator Walsh—1

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 2163**, introduced by Representative Riddle, entitled:

An Act to repeal section 304.190, RSMo, and to enact in lieu thereof one new section relating to city commercial zones.

Was called from the Informal Calendar and taken up by Senator Kehoe.

On motion of Senator Kehoe, **HB 2163** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Dempsey	Dixon	Emery	Holsman	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Wasson—29			

## NAYS—Senators—None

Absent—Senators

Curls Walsh—2

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 1693**, introduced by Representative Barnes, entitled:

An Act to repeal sections 447.560 and 447.584, RSMo, and to enact in lieu thereof three new sections relating to unclaimed property, with a penalty provision and an emergency clause.

Was called from the Informal Calendar and taken up by Senator Schaefer.

On motion of Senator Schaefer, **HB 1693** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Dempsey	Dixon	Emery	Holsman	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Wasson—29			

NAYS—Senators—None

Absent—Senators

Curls Walsh—2

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Dempsey	Dixon	Emery	Holsman	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Wasson—29			

NAYS—Senators—None

Absent—Senators

Curls Walsh—2

Absent with leave—Senator Cunningham—1

Vacancies—2

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 506**, entitled:

An Act to repeal sections 144.010, 192.300, 262.900, 265.300, 267.565, 275.352, 277.020, 277.040, 281.065, 304.180, 340.381, 340.396, and 537.325, RSMo, and to enact in lieu thereof seventeen new sections relating to agriculture.

With House Amendment Nos. 1, 2, 3 and 4.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 506, Pages 5-6, Section 192.300, Lines 1-41, by deleting all of said section and lines from the bill; and

Further amend said bill, Page 14, Section 267.169, Lines 1-12, by deleting all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 506, Page 22, Section 304.180, Lines 113-133, by deleting all of said lines and inserting in lieu thereof the following:

“9. [Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 63, on U.S. Highway 65 from the Iowa state line to U.S. Highway 36, and on U.S. Highway 63 from the Iowa state line to U.S. Highway 36, and on U.S. Highway 63 from U.S. Highway 36 to Missouri Route 17. The provisions of this subsection shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.

10.] Notwithstanding any provision of this section or any other law to the contrary, the”; and

Further amend said bill, page, and section, Line 135, by inserting after the word “facility” the words “**or livestock**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 506, Page 27, Section 537.325, Line 125, by inserting after all of said section and line the following:

**“Section 1. 1. No later than January 1, 2015, the department of agriculture shall propose a rule regarding renewable fuels and the labeling of motor fuel pumps.**

**2. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held**

**unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 506, Page 23, Section 340.396, Line 6, by inserting after all of said section and line the following:

“442.571. 1. Except as provided in sections 442.586 and 442.591, no alien or foreign business shall acquire by grant, purchase, devise, descent or otherwise agricultural land in this state if the total aggregate alien and foreign ownership of agricultural acreage in this state exceeds one percent of the total aggregate agricultural acreage in this state. [No such] **A sale[, or transfer[, or acquisition]]** of any agricultural land in this state shall [occur unless such sale, transfer, or acquisition is approved by] **be submitted to** the director of the department of agriculture **for review** in accordance with subsection 3 of this section **only if there is no completed Internal Revenue Service Form W-9 signed by the purchaser**. No person may hold agricultural land as an agent, trustee, or other fiduciary for an alien or foreign business in violation of sections 442.560 to 442.592, **provided, however, that no security interest in such agricultural land shall be divested or invalidated by such violation**.

2. Any alien or foreign business who acquires agricultural land in violation of sections 442.560 to 442.592 remains in violation of sections 442.560 to 442.592 for as long as he or she holds an interest in the land, **provided, however, that no security interest in such agricultural land shall be divested or invalidated by such violation**.

3. [All] **Subject to the provisions of subsection 1 of this section**, such proposed acquisitions by grant, purchase, devise, descent, or otherwise of agricultural land in this state shall be submitted to the department of agriculture to determine whether such acquisition of agricultural land is conveyed in accordance with the one percent restriction on the total aggregate alien and foreign ownership of agricultural land in this state. The department shall establish by rule the requirements for submission and approval of requests under this subsection.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.”; and

Further amend said bill, Page 27, Section 275.352, Line 6, by inserting after all of said section and line the following:

“Section B. Because immediate action is necessary to ensure the ability of citizens to obtain timely financing for the purchase of agricultural land, the repeal and reenactment of section 442.571 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 442.571 of section A of this act shall be in full force and effect upon its passage

and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.  
Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 992**, entitled:

An Act to repeal section 8.010, RSMo, and to enact in lieu thereof one new section relating to the board of public buildings.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 727**, entitled:

An Act to amend chapters 144 and 208, RSMo, by adding thereto two new sections relating to farmers’ markets.

With House Amendment Nos. 1 and 2.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 727, Page 2, Section 208.018, Lines 1-17, by deleting all of said lines and inserting in lieu thereof the following:

**“208.018. 1. Subject to federal approval, the department of social services shall establish a pilot program for the purpose of providing Supplemental Nutrition Assistance Program (SNAP) participants with access and the ability to afford fresh food when purchasing fresh food at farmers’ markets. The pilot program shall be established in at least one rural area and one urban area. Under the pilot program, such participants shall be able to:**

**(1) Purchase fresh fruit, vegetables, meat, fish, poultry, eggs, and honey with SNAP benefits with an electronic benefit transfer (EBT) card; and**

**(2) Receive a dollar-for-dollar match for every SNAP dollar spent at a participating farmers’ market or vending urban agricultural zone as defined in section 262.900 in an amount up to ten dollars per week whenever the participant purchases fresh food with an EBT card.**

**2. For purposes of this section, the term “farmers’ market” shall mean a market with multiple stalls at which farmer-producers sell agricultural products, particularly fresh fruit and vegetables, directly to the general public at a central or fixed location.**

**3. Purchases of approved fresh food by SNAP participants under this section shall automatically trigger matching funds reimbursement into the central farmers’ market vendor accounts by the department.”; and**



Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 727, Page 3, Section 208.018, Line 38, by adding after all of said section and line the following:

**“208.247. 1. Pursuant to the option granted the state by 21 U.S.C. Section 862a(d), an individual who has pled guilty or nolo contendere to or is found guilty under federal or state law of a felony involving possession or use of a controlled substance shall be exempt from the prohibition contained in 21 U.S.C. Section 862a(a) against eligibility for food stamp program benefits for such convictions, if such person, as determined by the department;**

**(1) Meets one of the following criteria:**

**(a) Is currently successfully participating in a substance abuse treatment program approved by the division of alcohol and drug abuse within the department of mental health; or**

**(b) Is currently accepted for treatment in and participating in a substance abuse treatment program approved by the division of alcohol and drug abuse, but is subject to a waiting list to receive available treatment, and the individual remains enrolled in the treatment program and enters the treatment program at the first available opportunity; or**

**(c) Has satisfactorily completed a substance abuse treatment program approved by the division of alcohol and drug abuse; or**

**(d) Is determined by a division of alcohol and drug abuse certified treatment provider not to need substance abuse treatment; and**

**(2) Is successfully complying with, or has already complied with, all obligations imposed by the court, the division of alcohol and drug abuse, and the division of probation and parole; and**

**(3) Does not plead guilty or nolo contendere to or is not found guilty of an additional controlled substance misdemeanor or felony offense after release from custody or, if not committed to custody, such person does not plead guilty or nolo contendere to or is not found guilty of an additional controlled substance misdemeanor or felony offense, within one year after the date of conviction. Such a plea or conviction within the first year after conviction shall immediately disqualify the person for the exemption; and**

**(4) Has demonstrated sobriety through voluntary urinalysis testing paid for by the participant.**

**2. Eligibility based upon the factors in subsection 1 of this section shall be based upon documentary or other evidence satisfactory to the department of social services, and the applicant shall meet all other factors for program eligibility.**

**3. The department of social services, in consultation with the division of alcohol and drug abuse, shall promulgate rules to carry out the provisions of this section including specifying criteria for determining active participation in and completion of a substance abuse treatment program.**

**4. The exemption under this section shall not apply to an individual who has pled guilty to or is found guilty of two subsequent felony offenses involving possession or use of a controlled substance**

**after the date of the first controlled substance felony convictions.” and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 500**.

With House Amendment No. 1.

#### HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 500, Page 1, In the Title, Line 3, by deleting the words “no-contest clauses” and inserting in lieu thereof the words “trust instruments”; and

Further amend said bill and said page, Section A, Line 3, by inserting immediately after said line the following:

“456.950. 1. As used in this section, “qualified spousal trust” means a trust:

(1) The settlors of which are husband and wife at the time of the creation of the trust; and

(2) The terms of which provide that during the joint lives of the settlors all property or interests in property transferred to, or held by, the trustee are:

(a) Held and administered in one trust for the benefit of both settlors, revocable by either or both settlors acting together while either or both are alive, and each settlor having the right to receive distributions of income or principal, whether mandatory or within the discretion of the trustee, from the entire trust for the joint lives of the settlors and for the survivor’s life; or

(b) Held and administered in two separate shares of one trust for the benefit of each of the settlors, with the trust revocable by each settlor with respect to that settlor’s separate share of that trust without the participation or consent of the other settlor, and each settlor having the right to receive distributions of income or principal, whether mandatory or within the discretion of the trustee, from that settlor’s separate share for that settlor’s life; or

(c) Held and administered under the terms and conditions contained in paragraphs (a) and (b) of this subdivision.

2. A qualified spousal trust may contain any other trust terms that are not inconsistent with the provisions of this section.

3. **Any** property or interests in property [held as tenants by the entirety by a husband and wife] that is at any time transferred to the trustee of a qualified spousal trust of which the husband and wife are the settlors, shall **thereafter** be [held and] administered as provided by the trust terms in accordance with paragraph (a), (b), or (c) of subdivision (2) of subsection 1 of this section[, and all such]. **All trust** property and interests in property **that is deemed for purposes of this section to be held as tenants by the entirety**, including the proceeds thereof, the income thereon, and any property into which such property, proceeds, or income may be converted, shall [thereafter] have the same immunity from the claims of the separate

creditors of the settlors as would have existed if the settlors had continued to hold that property as husband and wife as tenants by the entirety. **Property or interest in property held by a husband and wife as tenants by the entirety or as joint tenants or other form of joint ownership with right of survivorship shall be conclusively deemed for purposes of this section to be held as tenants by the entirety upon its transfer to the qualified spousal trust. All such transfers shall retain said immunity,** so long as:

(1) Both settlors are alive and remain married; and

(2) The property, proceeds, or income continue to be held in trust by the trustee of the qualified spousal trust.

4. Property or interests in property held by a husband and wife or held in the sole name of a husband or wife that is not held as tenants by the entirety **or deemed held as tenants by the entirety for purposes of this section** and is transferred to a qualified spousal trust shall be held as directed in the qualified spousal trust's governing instrument or in the instrument of transfer and the rights of any claimant to any interest in that property shall not be affected by this section.

5. Upon the death of each settlor, all property and interests in property held by the trustee of the qualified spousal trust shall be distributed as directed by the then current terms of the governing instrument of such trust. Upon the death of the first settlor to die, if immediately prior to death the predeceased settlor's interest in the qualified spousal trust was then held in such settlor's separate share, the property or interests in property in such settlor's separate share may pass into an irrevocable trust for the benefit of the surviving settlor upon such terms as the governing instrument shall direct, including without limitation a spendthrift provision as provided in section 456.5-502.

6. No transfer by a husband and wife as settlors to a qualified spousal trust shall affect or change either settlor's marital property rights to the transferred property or interest therein immediately prior to such transfer in the event of dissolution of marriage of the spouses, unless both spouses otherwise expressly agree in writing.

7. This section shall apply to all trusts which fulfill the criteria set forth in this section for a qualified spousal trust regardless of whether such trust was created before or after August 28, 2011.

**456.2-205. 1. Subject to the exception in subsection 2 of this section, a provision in a trust instrument requiring the mediation or arbitration of disputes between or among the beneficiaries, a fiduciary, a person granted nonfiduciary powers under the trust instrument, or any combination of such persons is enforceable.**

**2. A provision in a trust instrument requiring the mediation or arbitration of disputes relating to the validity of a trust is not enforceable unless all interested persons with regard to the dispute consent to the mediation or arbitration of the dispute.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS No. 2** for **SCS** for **HB 1495** and requests the Senate to recede from its position and

failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HB 1468** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

### **PRIVILEGED MOTIONS**

Senator Dixon moved that the Senate refuse to recede from its position on **SS No. 2** for **SCS** for **HB 1495** and grant the House a conference thereon, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HBs 1646** and **1515**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Nieves, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **HB 1591**, begs leave to report that it has considered the same and recommends that the bill do pass with Senate Committee Amendment No. 1.

### **SENATE COMMITTEE AMENDMENT NO. 1**

Amend House Bill No. 1591, Pages 1-2, Section 563.031, Lines 1-43, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 1739**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 1612**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following report:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **HB 1305**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

### **REFERRALS**

President Pro Tem Dempsey referred **HCS** for **HB 1867**, with **SCS**, to the Committee on Governmental Accountability and Fiscal Oversight.

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SS No. 2** for **SCS** for **HB 1495**: Senators Dixon, Schmitt, Schaefer, Justus and Keaveny.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House grants the Senate further conference on **HCS** for **SB 621**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **HCR 9**, as amended by **HPA 1** in which the concurrence of the Senate is respectfully requested.

### **HOUSE PERFECTING AMENDMENT NO. 1**

Amend Senate Substitute for House Concurrent Resolution No. 9, Page 3, Line 16, by deleting the words "Secretary of the Senate" and inserting in lieu thereof the words "Chief Clerk of the Missouri House of Representatives"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HB 1553**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Dempsey re-appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 621**, as amended: Senators Dixon, Schmitt, Schaefer, Justus and Keaveny.

### **RESOLUTIONS**

Senator Pearce offered Senate Resolution No. 2091, regarding Bruce Dotson, Blue Springs, which was adopted.

Senator Nieves offered Senate Resolution No. 2092, regarding Jennifer Alexandra James, Union, which was adopted.

Senator Dixon offered Senate Resolution No. 2093, regarding William Abbett, Springfield, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Schaefer introduced to the Senate, Tony and Linda Shepherd, Lance Corporal Ira Shepherd, and his son, Logan; and Logan was made an honorary page.

Senator Wasson introduced to the Senate, Jenny Hill, Baylee Dill, Jaysa Nissen and one hundred three fifth grade students from Shook Elementary School, Marshfield; and Baylee was made an honorary page.

On motion of Senator Richard, the Senate adjourned under the rules.

### **SENATE CALENDAR**

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**SIXTY-NINTH DAY—THURSDAY, MAY 15, 2014**

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### **FORMAL CALENDAR**

### **HOUSE BILLS ON SECOND READING**

HCS for HJR 75

### **THIRD READING OF SENATE BILLS**

SS for SCS for SB 666-Schmitt (In  
Fiscal Oversight)

SS for SB 538-Keaveny (In Fiscal  
Oversight)

SS for SCS for SB 850-Munzlinger (In  
Fiscal Oversight)

### **SENATE BILLS FOR PERFECTION**

1. SB 858-Kraus
2. SB 669-Schaaf
3. SB 821-Schaefer
4. SB 823-Dixon, et al, with SCS
5. SB 973-Brown
6. SB 815-Pearce, with SCS

7. SBs 798 & 514-Emery, with SCS
8. SB 865-Nieves
9. SB 619-Nieves, with SCS
10. SB 531-Nasheed
11. SB 820-Schaefer

### **HOUSE BILLS ON THIRD READING**

1. HJR 48-Solon, et al (Wallingford) (In  
Fiscal Oversight)

2. HB 1574-Hoskins (Dixon)
3. HCS for HB 1078, with SCS (Wallingford)

- |   |  |
|---|--|
| 4. HCS for HBs 1665 & 1335, with SCS<br>(Schaefer)            | 9. HB 2077-Stream (Schaefer)             |
| 5. HCS for HB 1374, with SCS (Cunningham)                     | 10. HCS for HBs 1646 & 1515, with SCS    |
| 6. HCS for HB 1225, with SCS (Romine)                         | 11. HB 1591-Brown and Higdon, with SCA 1 |
| 7. HCS for HB 1304, with SCS (Schmitt)                        | 12. HCS for HB 1739                      |
| 8. HCS for HB 1867, with SCS (Kehoe) (In<br>Fiscal Oversight) | 13. HCS for HB 1612                      |
|   | 14. HB 1305-Phillips, et al, with SCS    |

## INFORMAL CALENDAR

### SENATE BILLS FOR PERFECTION

- |  |   |
|--|---|
| SB 490-Lager and Kehoe, with SCS                         | SB 739-Romine, with SCS, SS for SCS, SA 1 &<br>SA 1 to SA 1 (pending) |
| SB 494-Pearce, with SS (pending)                         | SB 755-Wallingford  |
| SB 501-Keaveny   | SB 762-Schaefer, with SCS   |
| SB 518-Sater, with SCS, SA 2 & SA 1 to<br>SA 2 (pending) | SB 769-Pearce, with SCS   |
| SB 519-Sater, with SS & SA 1 (pending)                   | SB 770-Wallingford, with SCS  |
| SS for SB 543-Munzlinger                                 | SBs 787 & 804-Justus, with SCS  |
| SB 550-Sater, with SCS                                   | SB 790-Dixon  |
| SB 553-Emery, with SCS, SS for SCS & SA 1<br>(pending)   | SB 814-Brown  |
| SB 555-Nasheed, with SS & SA 1 (pending)                 | SB 819-Wallingford, with SCS  |
| SB 566-Sifton  | SB 830-Parson   |
| SB 573-Munzlinger, with SCS                              | SBs 836 & 800-Munzlinger, with SCS                                    |
| SB 578-Kraus   | SB 846-Richard  |
| SB 589-Brown, with SCS, SA 2 & SA 1 to<br>SA 2 (pending) | SB 848-LeVota, with SCS   |
| SB 617-Parson, with SCS, SS for SCS & SA 1<br>(pending)  | SB 875-Sater, with SCS  |
| SB 634-Parson, with SCS                                  | SB 887-Schaefer   |
| SB 641-Emery   | SB 888-Parson, with SCS   |
| SB 644-LeVota  | SB 912-Wasson and Justus, with SCS<br>(pending)                       |
| SB 659-Wallingford, with SCS                             | SB 919-Justus   |
| SB 663-Munzlinger, with SCS                              | SB 966-Lager  |
| SB 671-Sater   | SJR 25-Lager, with SS, SA 2 & SA 1 to SA 2<br>(pending)               |
| SB 712-Walsh, with SCS & SS for SCS<br>(pending)         | SJR 26-Lager, with SS & SA 1 (pending)                                |
| SB 724-Parson  | SJR 34-Emery  |
|  | SJR 42-Schmitt, with SS (pending)                                     |

## HOUSE BILLS ON THIRD READING

HCS for HB 1044, with SCS (Lamping)  
 HB 1073-Dugger, et al (Kraus)  
 HB 1126-Dugger and Entlicher, with SCS &  
   SA 6 (pending) (Kraus)  
 HCS for HB 1156 (Pearce)  
 HB 1173-Burlison, et al, with SA 1 & SA 1 to  
   SA 1 (pending) (Brown)  
 HCS for HBs 1179 & 1765, with SCS (Dixon)  
 HCS for HB 1189, with SCA 1 (Kehoe)  
 HCS for HB 1192, with SCS (Brown)  
 HCS for HB 1204, with SCS (Lager)  
 HCS for HB 1261 (Kraus)  
 HCS for HB 1295, with SCS (Kraus)  
 SCS for HCS for HB 1296, as amended  
   (Kraus)  
 HCS for HB 1326, with SCS (Kehoe)  
 HCS for HB 1336, with SCS (Wasson)  
 HB 1388-Cornejo, et al, with SCS  
   (Schaefer)  
 SCS for HB 1390-Thomson, et al, as  
   amended (Pearce)  
 HB 1430-Jones (110), et al (Schaaf)  
 HB 1455-Hoskins and Fraker (Kraus)  
 HCS for HB 1501, with SS & SA 6  
   (pending) (Schmitt)  
 HB 1506-Franklin, et al (Brown)

HCS for HB 1514, with SCS (Parson)  
 HB 1539-Kelley (127), et al, with SCS,  
   SS for SCS & SA 1 (pending) (Dixon)  
 HCS for HB 1557, with SS, SA 1 & SSA 1  
   for SA 1 (pending) (Munzlinger)  
 HCS for HB 1614, with SCS (Schaefer)  
 HB 1617-Rehder, et al, with SCS, SS#2  
   for SCS, SA 1 & SA 2 to SA 1  
   (pending) (Brown)  
 HCS for HB 1689, with SCS (Pearce)  
 HB 1692-Korman, with SCS (Justus)  
 HB 1707-Conway (Kehoe)  
 HCS for HBs 1861 & 1864, with SCS  
   (pending) (Munzlinger)  
 HB 1883-Flanigan and Allen, with SCA 1  
   (Dixon)  
 HB 1906-Schieber, with SCS (Dixon)  
 HCS for HB 1918, with SA 1 (pending)  
   (Lager)  
 HCS for HB 1937, with SCS (Munzlinger)  
 HB 2028-Peters, et al (Schmitt)  
 HB 2079-Funderburk, with SS (pending)  
   (Lager)  
 HCS for HJR 47, with SA 1 & SA 1 to SA 1  
   (pending) (Kraus)  
 HJR 72-Richardson, et al (Silvey)

## CONSENT CALENDAR

House Bills

Reported 4/15

HCS for HB 1510 (Brown)



SENATE BILLS WITH HOUSE AMENDMENTS

SB 500-Keaveny, with HA 1  
SB 506-Munzlinger, with HCS, as amended  
SCS for SB 526-Cunningham, with HA 1, HA 2,  
HA 3, as amended, HA 4, as amended,  
HA 5 & HA 6  
SCS for SB 723-Parson, with HCS, as amended

SB 727-Chappelle-Nadal, with HCS, as  
amended  
SB 794-Chappelle-Nadal, with HCS  
SB 859-Brown, with HCS  
SB 992-Dempsey, with HCS

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

In Conference

SCS for SB 492-Pearce, with HCS, as amended  
SCS for SBs 493, 485, 495, 516, 534,  
545, 595, 616 & 624-Pearce, with  
HCS, as amended (Senate adopted CCR  
and passed CCS)  
SCS for SB 612-Schaaf, with HA 1, HA 2,  
HA 3, HA 4 & HA 5 (Senate adopted  
CCR and passed CCS)  
SB 614-Dixon, with HCS, as amended  
SB 615-Dixon, with HCS, as amended  
SB 621-Dixon, with HCS, as amended  
(Further conference granted)  
SB 656-Kraus, with HCS, as amended  
SB 662-Kraus, with HCS, as amended  
(Senate adopted CCR and passed CCS)  
SCS for SB 672-Parson, with HCS, as  
amended (Senate adopted CCR#2 and  
passed CCS#2)

SB 693-Parson, with HCS, as amended  
(Senate adopted CCR#2 and passed  
CCS#2)  
SCS for SB 716-Brown, with HCS, as  
amended (Senate adopted CCR#2 and  
passed CCS#2)  
HCS for HB 1439, with SS for SCS, as  
amended (Nieves) (House adopted CCR  
and passed CCS)  
HB 1490-Bahr, et al, with SS for SCS, as  
amended (Emery) (Further conference  
granted)  
HB 1495-Torpey and Hicks, with SS#2 for  
SCS (Dixon)  
HB 1504-Zerr, with SS for SCS (Dempsey)  
HCS for HB 1685, with SS (Schaaf)

Requests to Recede or Grant Conference

HB 1468-Dohrman, et al, with SCS  
(Pearce) (House requests Senate  
recede or grant conference)

HB 1553-Dohrman, et al, with SCS, as  
amended (Pearce) (House requests  
Senate recede or grant conference)

#### RESOLUTIONS

SS for HCR 9-Cookson, et al, with  
HPA 1 (Libla)

Reported from Committee

HCR 29-Scharnhorst (Schaefer)

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# Journal of the Senate

SECOND REGULAR SESSION

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**SIXTY-NINTH DAY—THURSDAY, MAY 15, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“...even so we also should walk in newness of Life.” (Romans 6:4)

Gracious God, we know the motto which says: “Today is the first day of the rest of your life.” Help us approach this day as new and capable of bringing new energy and thought to what confronts us this day. Help us not think of today as another typical series of yesterdays which show little progress but rather an opportunity to accomplish more and grow from the experience. Keep us from falling into ruts of sameness but show faithfulness in the decisions we make today. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV and Missouri Lawyers Weekly were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery
Holsman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
LeVota	Libla	Munzlinger	Nasheed	Nieves	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

**CONCURRENT RESOLUTIONS**

Senator Libla moved that **SS** for **HCR 9**, with **HPA 1**, be taken up for adoption, which motion prevailed.

**HPA 1** was taken up.

Senator Libla moved that the above perfecting amendment be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senator Keaveny—1

## Absent—Senators

Justus          Nieves—2

Absent with leave—Senator Cunningham—1

Vacancies—2

On motion of Senator Libla, **SS** for **HCR 9**, as amended by **HPA 1**, was adopted by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Kehoe
Kraus	Lager	Lamping	Libla	Munzlinger	Nasheed	Parson	Pearce
Richard	Romine	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—24

## NAYS—Senators

Keaveny          LeVota          Sifton          Walsh—4

## Absent—Senators

Justus          Nieves          Sater—3

Absent with leave—Senator Cunningham—1

Vacancies—2

**PRIVILEGED MOTIONS**

Senator Parson moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 723**, as amended, and request the House to recede from its position and take up and pass **SCS** for **SB 723**, which motion prevailed.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker

has re-appointed the following Conference Committee on **HCS** for **SB 621**, as amended, to act with a like committee from the Senate. Representatives: Cox, Cornejo and Colona.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SS No. 2** for **SCS** for **HB 1495**. Representatives: Torpey, Swan and Schupp.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HCS** for **HBs 1307** and **1313**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 635**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 866**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 809**, entitled:

An Act to repeal sections 327.011, 327.031, 327.041, 327.051, 327.076, 327.081, 327.091, 327.101, 327.106, 327.131, 327.141, 327.151, 327.161, 327.171, 327.172, 327.181, 327.191, 327.221, 327.231, 327.241, 327.251, 327.261, 327.271, 327.272, 327.312, 327.313, 327.314, 327.321, 327.331, 327.341, 327.351, 327.381, 327.391, 327.392, 327.401, 327.411, 327.442, 327.451, 327.461, 327.600, 327.603, 327.607, 327.612, 327.615, 327.617, 327.619, 327.621, 327.622, 327.623, 327.629, 327.630, 327.631, and 327.635, RSMo, and to enact in lieu thereof fifty new sections relating to licensure by the board for architects, professional engineers, professional land surveyors and professional landscape architects, with an existing penalty provision.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 884**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance for dental services.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 607**, entitled:

An Act to repeal sections 94.579, 94.902, and 144.080, RSMo, and to enact in lieu thereof three new sections relating to sales tax for public safety.

With House Amendment Nos. 1 and 2.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 607, Page 9, Section 144.080, Line 37, by inserting after all of said section and line the following:

“304.154. 1. Beginning January 1, [2005] **2014**, a towing company operating a tow truck pursuant to the authority granted in section 304.155 or 304.157 shall:

(1) Have and occupy a verifiable business address **and display such address in a location visible from the street;**

(2) Have a fenced, secure, and lighted storage lot or an enclosed, secure building for the storage of motor vehicles, **with a total area for storing vehicles, either inside or outside, of at least two thousand square feet and fencing a minimum of seven feet high;**

(3) Be available twenty-four hours a day, seven days a week. Availability shall mean that an employee of the towing company or an answering service answered by a person is able to respond to a tow request;

**(5) Have and maintain an operational telephone with the telephone number published or available through directory assistance;**

[[4)] **(6) Maintain a valid insurance policy issued by an insurer authorized to do business in this state, or a bond or other acceptable surety providing coverage for the death of, or injury to, persons and damage to property for each accident or occurrence in the amount [of at least five hundred thousand dollars per incident] prescribed by the United States Department of Transportation;**

[(5)] **(7) Provide workers compensation insurance for all employees of the towing company if required by chapter 287; [and]**

[(6)] **(8) Maintain current motor vehicle registrations on all tow trucks currently operated within the towing company fleet.**

**2. The initial tow performed under sections 304.155 and 304.157 shall remain in the state of Missouri unless authorized by the vehicle owner or their agent.**

**3. Tows performed under section 304.155 shall not be dispatched through a third party dispatch system or management company, unless hired by the towing company. The provisions of this subsection shall not apply to any home rule city with more than four hundred thousand inhabitants and located in more than one county.**

**4. Counties may adopt ordinances with respect to towing company standards in addition to the minimum standards contained in this section. A towing company located in a county of the second, third, [and] or fourth classification or located in any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants or located in any county of the**

**third classification without a township form of government and with more than twenty-three thousand but fewer than twenty-six thousand inhabitants and with a city of the fourth classification with more than two thousand four hundred but fewer than two thousand seven hundred inhabitants as the county seat is exempt from the provisions of this section.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE AMENDMENT NO. 2**

Amend House Committee Substitute for Senate Bill No. 607, Page 5, Section 94.902, Lines 8-9, by deleting all of said line and inserting in lieu thereof the following words:

“hundred but fewer than twenty-five thousand inhabitants[.];

**(4) Any city of the third classification with more than four thousand but fewer than four thousand five hundred inhabitants and located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants; or**

**(5) Any special charter city with more than twenty-nine thousand but fewer than”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed SCS for **SB 729**.

With House Amendment Nos. 1 and 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, and House Amendment No. 4.

**HOUSE AMENDMENT NO. 1**

Amend Senate Committee Substitute for Senate Bill No. 729, Page 3, Section 620.700, Line 87, by inserting immediately after said line the following:

**“620.750. 1. The department of economic development, subject to an appropriation not to exceed five million dollars each fiscal year, shall develop and implement rural regional development grants as provided in this section.**

**2. Rural regional development grants may be provided to qualified rural regional development groups. After the award of a grant, the group shall:**

**(1) Track and monitor job creation and investment in the region using quantitative measures that measure progress toward preestablished goals;**

**(2) Establish a process for enrolling commercial and industrial development sites in the region in the state-certified sites program or maintain a list of state-certified commercial and industrial development sites in the region;**

**(3) Measure the skills of the region’s workforce;**

**(4) Provide an organizational chart demonstrating that private businesses and local governmental**

**and educational officials are involved in the group; and**

**(5) Provide documentation of the group's financial activities for the current year.**

**3. A rural regional development group shall not qualify for a rural regional development grant if:**

**(1) The group's region includes a county or portion of another state outside the state of Missouri; or**

**(2) The group maintains an operating budget greater than two hundred fifty thousand dollars.**

**4. Applications for rural regional development grants shall only be submitted for a rural regional development group by a regional planning commission created under chapter 251 or other legally created regional planning commission. A regional planning commission may submit applications on behalf of more than one rural regional development group, except that a regional planning commission shall not submit an application on behalf of a group that the regional planning commission does not recognize as the economic development authority for the county that the authority represents.**

**5. The regional planning commission may charge an application fee for the grants developed under this section. The regional planning commission shall be allowed to claim reimbursement from the grant recipient for actual costs of administering the grants.**

**6. A single grant shall not exceed one hundred fifty thousand dollars. Each of the nineteen regions of the state represented by a regional planning commission created under chapter 251 or other legally created regional planning commission shall not receive more than two grants per region annually.**

**7. Grants provided under this section shall be distributed based on a rural regional development group's years in operation. The eligible amount shall be:**

**(1) For a group in operation two years or more on a matching basis of three dollars of state funds for every one dollar of funds provided or raised by the rural regional development group, including the value of in-kind services, supplies, or equipment.**

**(2) For groups in operation less than two years on a matching basis of one dollar of state funds for every one dollar of funds provided or raised by the rural regional development group, including the value of in-kind services, supplies, or equipment.**

**8. Uses for the grants may include, but are not limited to, the following activities:**

**(1) Workforce development activities, such as evaluation and education;**

**(2) Entrepreneurship training for pre-venture and existing businesses;**

**(3) Development of regional marketing techniques and activities;**

**(4) International trade training for new-to-export businesses in the region;**

**(5) In-depth market research and financial analysis for businesses in the region;**

**(6) Demographic and market opportunity research to assist regional planning commissions in**



developing their comprehensive economic development strategy.

**9. The grant recipient shall annually report to the governor; the director of the department of economic development; the senate committee on commerce, consumer protection and the environment; the house committee on economic development and any successor committees thereto, the allocation of the grants and the purposes for which the funding was used.**

**10. The department of economic development may promulgate rules governing the award of grants under this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 729, Page 1, Section A, Line 2, by inserting immediately after said line the following:

**“135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, except sections 143.191 to 143.261, as a production incentive to produce processed wood products in a qualified wood-producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of five years and is to be a tax credit against the tax otherwise due. No new tax credits, provided for under sections 135.300 to 135.311, shall be authorized after June 30, [2013] 2020. In no event shall the aggregate amount of all tax credits allowed under sections 135.300 to 135.311 exceed six million dollars in any given fiscal year and is subject to appropriations.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to Senate Committee Substitute for Senate Bill No. 729 Page 4, Lines 17-20, by deleting all of said lines and inserting in lieu thereof the phrase “”;and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 729, Page 1, Lines 2 and 3 of the Title, by deleting the words “ a tax credit for donations to innovation campuses” and inserting in lieu thereof the words “tax credits”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after said line the following:

“135.710. 1. As used in this section, the following terms mean:

(1) **“Alternative fuel vehicle refueling property”, property in this state owned by an eligible applicant and used for storing alternative fuels and for dispensing such alternative fuels into fuel tanks of motor vehicles owned by such eligible applicant or private citizens;**

(2) “Alternative fuels”, any motor fuel at least seventy percent of the volume of which consists of one or more of the following:

(a) Ethanol;

(b) Natural gas;

(c) Compressed natural gas, **or CNG**;

(d) Liquefied natural gas, **or LNG**;

(e) Liquefied petroleum gas, **or LP gas, propane, or autogas**;

(f) Any mixture of biodiesel and diesel fuel, without regard to any use of kerosene;

(g) Hydrogen;

[(2)] (3) “Department”, the department of [natural resources] **economic development**;

(4) **“Electric vehicle recharging property”, property in this state owned by an eligible applicant and used for recharging electric motor vehicles owned by such eligible applicant or private citizens;**

[(3)] (5) “Eligible applicant”, a business entity **or private citizen** that is the owner of [a qualified] **an electric vehicle recharging property or an alternative fuel vehicle refueling property**;

(6) **“Qualified Missouri contractor”, a contractor whose principal place of business is located in Missouri and has been located in Missouri for a period of not less than five years;**

[(4)] (7) “Qualified [alternative fuel vehicle refueling] property”, [property in this state owned by an eligible applicant and used for storing alternative fuels and for dispensing such alternative fuels into fuel tanks of motor vehicles owned by such eligible applicant or private citizens] **an electric vehicle recharging property or an alternative fuel vehicle refueling property** which, if constructed after August 28, [2008] **2014**, was constructed with at least fifty-one percent of the costs being paid to qualified Missouri contractors for the:

(a) Fabrication of premanufactured equipment or process piping used in the construction of such facility;

(b) Construction of such facility; and

(c) General maintenance of such facility during the time period in which such facility receives any tax credit under this section.

If no qualified Missouri contractor is located within seventy-five miles of the property, the requirement that fifty-one percent of the costs shall be paid to qualified Missouri contractors shall not apply[;

(5) “Qualified Missouri contractor”, a contractor whose principal place of business is located in Missouri and has been located in Missouri for a period of not less than five years].

2. For all tax years beginning on or after January 1, [2009] **2015**, but before January 1, [2012] **2018**, any

eligible applicant who installs and operates a qualified [alternative fuel vehicle refueling] property shall be allowed a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or due under chapter 147 or chapter 148 for any tax year in which the applicant is constructing the [refueling] **qualified** property. The credit allowed in this section per **eligible applicant who is a private citizen shall not exceed fifteen hundred dollars or per eligible applicant that is a business entity** shall not exceed the lesser of twenty thousand dollars or twenty percent of the total costs directly associated with the purchase and installation of any alternative fuel storage and dispensing equipment **or any recharging equipment** on any qualified [alternative fuel vehicle refueling] property, which shall not include the following:

(1) Costs associated with the purchase of land upon which to place a qualified [alternative fuel vehicle refueling] property;

(2) Costs associated with the purchase of an existing qualified [alternative fuel vehicle refueling] property; or

(3) Costs for the construction or purchase of any structure.

3. Tax credits allowed by this section shall be claimed by the eligible applicant at the time such applicant files a return for the tax year in which the storage and dispensing **or recharging** facilities were placed in service at a qualified [alternative fuel vehicle refueling] property, and shall be applied against the income tax liability imposed by chapter 143, chapter 147, or chapter 148 after all other credits provided by law have been applied. The cumulative amount of tax credits which may be claimed by eligible applicants claiming all credits authorized in this section shall not exceed [the following amounts:

(1) In taxable year 2009, three million dollars;

(2) In taxable year 2010, two million dollars; and

(3) In taxable year 2011,] one million dollars **in any calendar year, subject to appropriations.**

4. If the amount of the tax credit exceeds the eligible applicant's tax liability, the difference shall not be refundable. Any amount of credit that an eligible applicant is prohibited by this section from claiming in a taxable year may be carried forward to any of such applicant's two subsequent taxable years. Tax credits allowed under this section may be assigned, transferred, sold, or otherwise conveyed.

5. [An alternative fuel vehicle refueling] **Any qualified** property, for which an eligible applicant receives tax credits under this section, which ceases to sell alternative fuel **or recharge electric vehicles** shall cause the forfeiture of such eligible applicant's tax credits provided under this section for the taxable year in which the [alternative fuel vehicle refueling] **qualified** property ceased to sell alternative fuel **or recharge electric vehicles** and for future taxable years with no recapture of tax credits obtained by an eligible applicant with respect to such applicant's tax years which ended before the sale of alternative fuel **or recharging of electric vehicles** ceased.

6. The director of revenue shall establish the procedure by which the tax credits in this section may be claimed, and shall establish a procedure by which the cumulative amount of tax credits is apportioned equally among all eligible applicants claiming the credit. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that eligible applicants can claim all the tax credits possible up to the cumulative amount of tax credits available for the

taxable year. No eligible applicant claiming a tax credit under this section shall be liable for any interest or penalty for filing a tax return after the date fixed for filing such return as a result of the apportionment procedure under this subsection.

7. Any eligible applicant desiring to claim a tax credit under this section shall submit the appropriate application for such credit with the department. The application for a tax credit under this section shall include any information required by the department. The department shall review the applications and certify to the department of revenue each eligible applicant that qualifies for the tax credit.

8. The department and the department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

9. [Pursuant to] **The provisions of** section 23.253 of the Missouri sunset act **notwithstanding:**

(1) The provisions of the new program authorized under this section shall automatically sunset [six] **three** years after [August 28, 2008] **December 31, 2014**, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset [twelve] **six** years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on December thirty-first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset; **and**

(4) **The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to redeem tax credits authorized on or before the date the program authorized under this section expires or a taxpayer's ability to redeem such tax credits.**

137.010. The following words, terms and phrases when used in laws governing taxation and revenue in the state of Missouri shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

(1) "Grain and other agricultural crops in an unmanufactured condition" shall mean grains and feeds including, but not limited to, soybeans, cow peas, wheat, corn, oats, barley, kafir, rye, flax, grain sorghums, cotton, and such other products as are usually stored in grain and other elevators and on farms; but excluding such grains and other agricultural crops after being processed into products of such processing, when packaged or sacked. The term "processing" shall not include hulling, cleaning, drying, grating, or polishing;

(2) "Hydroelectric power generating equipment", very-low-head turbine generators with a nameplate generating capacity of at least four hundred kilowatts but not more than six hundred kilowatts and machinery and equipment used directly in the production, generation, conversion, storage, or conveyance of hydroelectric power to land-based devices and appurtenances used in the transmission of electrical

energy;

(3) “Intangible personal property”, for the purpose of taxation, shall include all property other than real property and tangible personal property, as defined by this section;

(4) “Real property” includes land itself, whether laid out in town lots or otherwise, and all growing crops, buildings, structures, improvements and fixtures of whatever kind thereon, hydroelectric power generating equipment, the installed poles used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes, provided the owner of such installed poles is also an owner of a fee simple interest, possessor of an easement, holder of a license or franchise, or is the beneficiary of a right-of-way dedicated for public utility purposes for the underlying land; attached wires, transformers, amplifiers, substations, and other such devices and appurtenances used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes when owned by the owner of the installed poles, otherwise such items are considered personal property; and stationary property used for transportation **or storage** of liquid and gaseous products, including, but not limited to, petroleum products, natural gas, **propane or LP gas equipment**, water, and sewage;

(5) “Tangible personal property” includes every tangible thing being the subject of ownership or part ownership whether animate or inanimate, other than money, and not forming part or parcel of real property as herein defined, but does not include household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place.

**Section 1. Notwithstanding any other provisions of law to the contrary, the license of a trailer, as defined in section 301.010, shall be permanent until the owner of the trailer sells, trades, or disposes of the trailer. After the initial registration and licensing of the trailer, no annual registration shall be required and no annual fee shall be charged.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bill No. 729, Page 1, Section A, Line 2, by inserting immediately after said line the following:

“135.700. **1.** For all tax years beginning on or after January 1, 1999, a grape grower or wine producer shall be allowed a tax credit against the state tax liability incurred pursuant to chapter 143, exclusive of the provisions relating to the withholding of tax as provided in sections 143.191 to 143.265, in an amount equal to twenty-five percent of the purchase price of all new **and used** equipment and materials used directly in the growing of grapes or the production of wine in the state. Each grower or producer shall apply to the department of economic development and specify the total amount of such new equipment and materials purchased during the calendar year. The department of economic development shall certify to the department of revenue the amount of such tax credit to which a grape grower or wine producer is entitled pursuant to this section. The provisions of this section notwithstanding, a grower or producer may only apply for and receive the credit authorized by this section for five tax periods.

**2. For the taxable years beginning on or after August 28, 2014, the total amount of tax credits allowed under subsection 1 of this section shall not exceed two hundred thousand dollars annually.**

**3. For all tax years beginning on or after January 1, 2015, a distillery or microbrewery, as defined in section 311.195, shall be allowed a tax credit against the state tax liability incurred under chapter 143, exclusive of the provisions relating to the withholding of tax as provided in sections 143.191 to 143.265, in an amount equal to twenty-five percent of the purchase price of all new and used equipment and materials used directly in the distilling of spirits or brewing of beer in the state, subject to the limitations provided in this section. Each distiller or brewer shall apply to the department of economic development and specify the total amount of such new and used equipment and materials purchased during the calendar year. The department of economic development shall certify to the department of revenue the amount of such tax credit to which a distillery or microbrewery is entitled under this section. The provisions of this section notwithstanding, a distiller or brewer may apply for and receive the credit authorized by this section for no more than five consecutive tax periods with a total maximum of ten tax periods.**

**4. For the tax years beginning on or after January 1, 2015, the total amount of tax credits authorized under subsection 3 shall not exceed two hundred thousand dollars per taxable year and shall be subject to appropriations. The amount of tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of twenty-five thousand dollars per taxable year.**

**5. Of the two hundred thousand dollars of tax credits authorized under subsection 3, no more than one hundred thousand dollars shall go to each of the groups of taxpayers classifying as distillers and brewers except as provided in this subsection. After the conclusion of the third quarter of a taxable year, the remaining balance of tax credits authorized shall be issued to any qualified applicant, regardless of whether a distiller or brewer, on a first-come, first-served filing basis.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 660**, entitled:

An Act to repeal section 197.230, RSMo, and to enact in lieu thereof two new sections relating to reproductive health care.

With House Amendment No. 1.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 660, Page 2, Section 197.730, Line 4, by deleting all of said line and inserting in lieu thereof the following:

**“federal funding under 42 U.S.C. Section 1396d(l)(2)(B);”**; and

Further amend said bill, page, and section, Line 20, by deleting the phrase **“42 U.S.C 254b(a)(1)”** and inserting in lieu thereof the phrase **“42 U.S.C. Section 254b(a)(1)”**; and

Further amend said bill, page, and section, Line 24, by deleting the comma after the word **“funds”** ; and

Further amend said bill, page, and section, Line 26, by deleting the comma after the phrase “**of this section**”; and

Further amend said bill, page, and section, Line 34, by deleting the word “**also**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 860**, entitled:

An Act to repeal sections 143.221, 144.044, 144.049, 144.080, and 144.190, RSMo, and to enact in lieu thereof five new sections relating to taxation.

With House Amendment Nos. 1 and 2.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 860, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

**“137.133. In any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any correspondence by the assessor with a taxpayer requesting information from the taxpayer shall include the following statement in bold, fourteen point font: “Disclosure of information requested on this document is voluntary and not required by law. Any information disclosed may become public record.”. The provisions of this section shall not apply to requests for information required to be disclosed under sections 137.092 and 137.155.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 860, Page 5, Section 144.080, Line 37, by inserting immediately after said line the following:

**“144.083. 1. The director of revenue shall require all persons who are responsible for the collection of taxes under the provisions of section 144.080 to procure a retail sales license at no cost to the licensee which shall be prominently displayed at the licensee’s place of business, and the license is valid until revoked by the director or surrendered by the person to whom issued when sales are discontinued. The director shall issue the retail sales license within ten working days following the receipt of a properly completed application. Any person applying for a retail sales license or reinstatement of a revoked sales tax license who owes any tax under sections 144.010 to 144.510 or sections 143.191 to 143.261 must pay the amount due plus interest and penalties before the department may issue the applicant a license or reinstate the revoked license. All persons beginning business subsequent to August 13, 1986, and who are required to collect the sales tax shall secure a retail sales license prior to making sales at retail. Such license may, after ten days’ notice, be revoked by the director of revenue only in the event the licensee shall be in default for a period of sixty days in the payment of any taxes levied under section 144.020 or sections 143.191 to 143.261. Notwithstanding the provisions of section 32.057 in the event of revocation, the director of revenue**

may publish the status of the business account including the date of revocation in a manner as determined by the director.

2. The possession of a retail sales license and a statement from the department of revenue that the licensee owes no tax due under sections 144.010 to 144.510, **sections 144.600 to 144.745**, or sections 143.191 to [143.261] **143.265** shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license which is required for conducting any business where goods are sold at retail. The date of issuance on the statement that the licensee owes no tax due shall be no more than ninety days before the date of submission for application or renewal of the local license. The revocation of a retailer's license by the director shall render the occupational license or the state license null and void.

3. No person responsible for the collection of taxes under section 144.080 shall make sales at retail unless such person is the holder of a valid retail sales license. After all appeals have been exhausted, the director of revenue may notify the county or city law enforcement agency representing the area in which the former licensee's business is located that the retail sales license of such person has been revoked, and that any county or city occupation license of such person is also revoked. The county or city may enforce the provisions of this section, and may prohibit further sales at retail by such person.

4. In addition to the provisions of subsection 2 of this section, beginning January 1, [2009] **2018**, the possession of a statement from the department of revenue stating no tax is due **for any individual or corporation subject to the tax** under sections [143.191 to 143.265 or sections 144.010 to 144.510] **143.011 to 143.071** shall also be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business where goods are sold at retail. The statement of no tax due shall be dated no [longer] **more** than ninety days before the date of submission for application or renewal of the city or county license.

5. Notwithstanding any law or rule to the contrary, sales tax shall only apply to the sale price paid by the final purchaser and not to any off-invoice discounts or other pricing discounts or mechanisms negotiated between manufacturers, wholesalers, and retailers.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 852**, entitled:

An Act to repeal sections 84.340, 105.935, and 571.030, RSMo, and to enact in lieu thereof five new sections relating to public safety, with a penalty provision.

With House Amendment Nos. 1, 2, 3, 4, 5, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6, as amended, House Amendment No. 7 and House Substitute Amendment No. 1 for House Amendment No. 8.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 852, Page 4, Section 105.935, Line 54, by inserting immediately after all of said line the following:

“191.630. As used in sections 191.630 and 191.631, the following terms mean:



(1) “[Care provider”, a person who is employed as an emergency medical care provider, firefighter, or police officer;

(2) “Contagious or infectious disease”, hepatitis in any form and any other communicable disease as defined in section 192.800, except AIDS or HIV infection as defined in section 191.650, determined to be life-threatening to a person exposed to the disease as established by rules adopted by the department, in accordance with guidelines of the Centers for Disease Control and Prevention of the Department of Health and Human Services] **Communicable disease”, acquired immunodeficiency syndrome (AIDS), cutaneous anthrax, hepatitis in any form, human immunodeficiency virus (HIV), measles, meningococcal disease, mumps, pertussis, pneumonic plague, rubella, severe acute respiratory syndrome (SARS-CoV), smallpox, tuberculosis, varicella disease, vaccinia, viral hemorrhagic fevers, and other such diseases as the department may define by rule or regulation;**

(2) “Communicable disease tests”, tests designed for detection of communicable diseases. **Rapid testing of the source patient in line with the Occupational Safety and Health Administration (OSHA) enforcement of the Centers for Disease Control and Prevention (CDC) guidelines shall be recommended;**

(3) “Coroner or medical examiner”, the same meaning as defined in chapter 58;

[(3)] (4) “Department”, the Missouri department of health and senior services;

[(4)] (5) “Designated infection control officer”, the person or persons within the entity or agency who are responsible for managing the infection control program and for coordinating efforts surrounding the investigation of an exposure such as:

(a) Collecting, upon request, facts surrounding possible exposure of an emergency care provider or Good Samaritan to a communicable disease;

(b) Contacting facilities that receive patients or clients of potentially exposed emergency care providers or Good Samaritans to ascertain if a determination has been made as to whether the patient or client has had a communicable disease and to ascertain the results of that determination; and

(c) Notifying the emergency care provider or Good Samaritan as to whether there is reason for concern regarding possible exposure;

(6) “Emergency [medical] care provider”, **a person who is serving as** a licensed or certified person trained to provide emergency and nonemergency medical care as a first responder, **emergency responder, EMT-B, EMT-I, or EMT-P as defined in section 190.100, firefighter, law enforcement officer, sheriff, deputy sheriff, registered nurse, physician, medical helicopter pilot,** or other certification or licensure levels adopted by rule of the department;

[(5)] (7) “Exposure”, a specific eye, mouth, other mucous membrane, nonintact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee’s duties;

[(6)] “HIV”, the same meaning as defined in section 191.650;

(7)] (8) “Good Samaritan”, **any person who renders emergency medical assistance or aid within his or her level of training or skill until such time as he or she is relieved of those duties by an**

**emergency care provider;**

(9) “Hospital”, the same meaning as defined in section 197.020;

(10) “Source patient”, any person who is sick or injured and requiring the care or services of a **Good Samaritan or emergency care provider, for whose blood or other potentially infectious materials have resulted in exposure.**

191.631. 1. (1) Notwithstanding any other law to the contrary, if [a] **an emergency care provider or a Good Samaritan** sustains an exposure from a person while rendering emergency health care services, the person to whom the **emergency care provider or Good Samaritan** was exposed is deemed to consent to a test to determine if the person has a [contagious or infectious] **communicable** disease and is deemed to consent to notification of the **emergency care provider or the Good Samaritan** of the results of the test, upon submission of an exposure report by the **emergency care provider or the Good Samaritan** to the hospital where the person is delivered by the **emergency care provider.**

(2) The hospital where the [person] **source patient** is delivered shall conduct the test. The sample and test results shall only be identified by a number and shall not otherwise identify the person tested.

(3) A hospital shall have written policies and procedures for notification of [a] **an emergency care provider or Good Samaritan** pursuant to this section. **The hospital shall include local representation of designated infection control officers during the process to develop or review such policies. The policies shall be substantially the same as those in place for notification of hospital employees.** The policies and procedures shall include designation of a representative of the **emergency care provider** to whom notification shall be provided and who shall, in turn, notify the **emergency care provider.** The identity of the designated [representative] **local infection control officer** of the **emergency care provider** shall not be disclosed to the [person] **source patient** tested. The designated [representative] **local infection control officer** shall inform the hospital of those parties who receive the notification, and following receipt of such information and upon request of the person tested, the hospital shall inform the person of the parties to whom notification was provided.

(4) A coroner and medical examiner shall have written policies and procedures for notification of an **emergency care provider and Good Samaritan** pursuant to this section. The coroner or medical examiner shall include local representation of a designated infection control officer during the process to develop or review such policies. The policies shall be substantially the same as those in place for notification of coroner or medical examiner employees. The policies and procedures shall include designation of a representative of the **emergency care providers** to whom notification shall be provided and who shall, in turn, notify the **emergency care provider.** The identity of the designated **local infection control officer** of the **emergency care provider** shall not be disclosed to the **source patient** tested. The designated **local infection control officer** shall inform the coroner or medical examiner of those parties who receive the notification, and following receipt of such information and upon request of the person tested, the coroner or medical examiner shall inform the person of the parties to whom notification was provided.

2. If a person tested is diagnosed or confirmed as having a [contagious or infectious] **communicable** disease pursuant to this section, the hospital, **coroner, or medical examiner** shall notify the **emergency care provider, Good Samaritan** or the designated [representative] **local infection control officer** of the **emergency care provider** who shall then notify the care provider.

3. The notification to the **emergency care provider or the Good Samaritan** shall advise the **emergency care provider or the Good Samaritan** of possible exposure to a particular [contagious or infectious] **communicable** disease and recommend that the **emergency care provider or Good Samaritan** seek medical attention. The notification shall be provided as soon as is reasonably possible following determination that the individual has a [contagious or infectious] **communicable** disease. The notification shall not include the name of the person tested for the [contagious or infectious] **communicable** disease unless the person consents. If the **emergency care provider or Good Samaritan** who sustained an exposure determines the identity of the person diagnosed or confirmed as having a [contagious or infectious] **communicable** disease, the identity of the person shall be confidential information and shall not be disclosed by the **emergency care provider or the Good Samaritan** to any other individual unless a specific written release is obtained by the person diagnosed with or confirmed as having a [contagious or infectious] **communicable** disease.

4. This section does not require or permit, unless otherwise provided, a hospital to administer a test for the express purpose of determining the presence of a [contagious or infectious] **communicable** disease; except that testing may be performed if the person consents and if the requirements of this section are satisfied.

5. This section does not preclude a hospital, **coroner, or medical examiner** from providing notification to [a] **an emergency care provider or Good Samaritan** under circumstances in which the hospital's, **coroner's, or medical examiner's** policy provides for notification of the hospital's, **coroner's, or medical examiner's** own employees of exposure to a [contagious or infectious] **communicable** disease that is not life-threatening if the notice does not reveal a patient's name, unless the patient consents.

6. A hospital, **coroner, or medical examiner** participating in good faith in complying with the provisions of this section is immune from any liability, civil or criminal, which may otherwise be incurred or imposed.

7. A hospital's duty of notification pursuant to this section is not continuing but is limited to diagnosis of a [contagious or infectious] **communicable** disease made in the course of admission, care, and treatment following the rendering of health care services to which notification pursuant to this section applies.

8. A hospital, **coroner, or medical examiner** that performs a test in compliance with this section or that fails to perform a test authorized pursuant to this section is immune from any liability, civil or criminal, which may otherwise be incurred or imposed.

9. [A hospital has no duty to perform the test authorized.

10.] The department shall adopt rules to implement this section. The department may determine by rule the [contagious or infectious] **communicable** diseases for which testing is reasonable and appropriate and which may be administered pursuant to this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536.

[11.] **10.** The [employer of a] **agency which employs or sponsors the emergency** care provider who sustained an exposure pursuant to this section shall pay the costs of testing for the person who is the source of the exposure and of the testing of the **emergency** care provider if the exposure was sustained during the course of [employment] **the provider's expected duties.**

**11. All emergency care providers shall respond to and treat any patient regardless of the status**

of the patient's HIV or other communicable disease infection.

**12. Ambulance services and emergency medical response agencies licensed under chapter 190 shall establish and maintain local policies and provide training regarding exposure of personnel to patient blood and body fluids as well as general protection from communicable diseases. The training provided and the policies established shall be in substantial compliance with the appropriate CDC and OSHA guidelines.**

**13. Hospitals, nursing homes, and other medical facilities and practitioners who transfer patients known to have a communicable disease or to be subject to an order of quarantine or an order of isolation shall notify the emergency care providers who are providing the transportation services of the potential risk of exposure to a communicable disease, including communicable diseases of a public health threat.**

**14. The department shall promulgate regulations regarding all of the following:**

**(1) The type of exposure that would prompt notification of the emergency care provider or Good Samaritan, which shall cover, at a minimum, methods of potential transmission of any diseases designated under P.L. 101-381 or diseases additionally identified from the department's list of communicable diseases;**

**(2) The process to be used by the emergency care provider, Good Samaritan, licensed facility, coroner, medical examiner, and designated infection control officer for the reports required by this section, the process to be used to evaluate requests received from emergency care providers and Good Samaritans, and for informing emergency care providers and Good Samaritans as to their obligations to maintain the confidentiality of information received; and**

**(3) The method by which emergency care providers and Good Samaritans shall be provided information and advice in a timely manner related to the risk of infection from communicable diseases as a result of aid or medical care.”; and**

Further amend said bill, Page 9, Section 590.750, Line 12, by inserting after all of said line the following:

“[192.800. As used in this section, the following terms mean:

(1) “Communicable disease”, an illness due to an infectious agent or its toxic products and transmitted directly or indirectly to a susceptible host from an infected person, animal or arthropod or through the agency of an intermediate host or a vector or through the inanimate environment;

(2) “Designated officer”, an employee of the department or a city or county health officer, or designee, located in or employed by appropriate agencies serving geographical regions and appointed by the director of the department of health and senior services, whose duties consist of:

(a) Collecting, upon request, facts surrounding possible exposure of a first responder or Good Samaritan to a communicable disease or infection;

(b) Contacting facilities that receive patients or clients of potentially exposed first responders or Good Samaritans to ascertain if a determination has been made as to whether the patient or client has had a communicable disease or infection and to ascertain the results of that determination; and

(c) Notifying the first responder or Good Samaritan as to whether or not there is reason for concern regarding possible exposure;

(3) “First responder”, any person trained and authorized by law or rule to render emergency medical assistance or treatment. Such persons may include, but shall not be limited to, emergency first responders, police officers, sheriffs, deputy sheriffs, firefighters, ambulance attendants and attendant drivers, emergency medical technicians, mobile emergency medical technicians, emergency medical technician-paramedics, registered nurses or physicians;

(4) “Good Samaritan”, any person who renders emergency medical assistance or aid until such time as relieved of these duties by a first responder;

(5) “Licensed facility”, a facility licensed under chapter 197 or a state medical facility.]

[192.802. The department of health and senior services shall ensure that first responders or Good Samaritans are notified if there is reason to believe an exposure has occurred which may present a significant risk of a communicable disease as a result of attending or transporting a patient to a licensed facility. At the request of any first responder, the licensed facility shall notify any such first responder and at the request of any Good Samaritan, the designated officer shall notify such Good Samaritan. Notification will be made as soon as practicable, but not later than forty-eight hours, to the department of health and senior services or a designated officer.]

[192.804. 1. First responders or Good Samaritans who attended or transported a patient who believe that they may have received an exposure which may present a significant risk of a communicable disease by a patient may provide a written request concerning the suspected exposure to either the licensed facility that received the patient or the designated officer, detailing the nature of the alleged exposure. The form shall inform the first responder or Good Samaritan, in bold print, of the provisions of subsections 1 and 6 of section 191.656 regarding confidentiality and consequences of violation of confidentiality provisions. The first responder or Good Samaritan shall be given a copy of the request form.

2. If the licensed facility, designated officer, coroner or medical examiner makes a determination that there was an exposure to a communicable disease, the report to the first responder or Good Samaritan shall provide the name of the communicable disease involved, the date on which the patient was assisted or transported, and any advice or information about the communicable disease as provided by rule by the department of health and senior services and shall, in addition, inform the first responder or the Good Samaritan of the provisions of subsections 1 and 6 of section 191.656 regarding confidentiality and consequences of violation of confidentiality provisions. This section shall not be construed to authorize the disclosure of any identifying information with respect to the patient, first responder or Good Samaritan.]

[192.806. 1. The department of health and senior services shall promulgate regulations, pursuant to the provisions of section 192.006 and chapter 536, concerning:

(1) The type of exposure that would prompt notification of the first responder or Good Samaritan, which shall cover at a minimum, methods of potential transmission of any diseases designated under P.L. 101-381 or diseases additionally identified from the department of health and senior services’ list of communicable diseases;

(2) The process to be used by the first responder, Good Samaritan, licensed facility, coroner, medical examiner and designated officer for the reports required by this section, the process to be used to evaluate requests received from first responders and Good Samaritans, and for informing first responders and Good Samaritans as to their obligations to maintain the confidentiality of information received;

(3) The method by which first responders and Good Samaritans shall be provided information and advice in a timely manner related to the risk of infection from communicable diseases as a result of provision of aid or medical care;

(4) The need for employers of first responders to provide training to employees regarding the use of universal precautions.

2. All licensed facilities, medical examiners, coroners, first responders and Good Samaritans shall be required to comply with the regulations promulgated pursuant to sections 192.800 to 192.808.]

[192.808. 1. Sections 192.800 to 192.808 shall not be construed to authorize or require a licensed facility to test any patient for any communicable disease, nor shall mandatory testing of any person be required, except as provided for in sections 191.659, 191.662 and 191.674.

2. All emergency response employees are required to respond to and treat any patient regardless of HIV or other communicable disease infection.

3. Sections 192.800 to 192.808 shall not be construed to require or permit the department of health and senior services or its designated officers to collect information concerning HIV infection in a form that permits the identity of the patient to be determined, except as otherwise provided by law.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 852, Page 9, Section 590.750, Line 12, by inserting after said line the following:

“[300.320. A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such other method as may be determined and designated by the traffic division.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 852, Page 1, Section 44.095, Line 12 and 13, by deleting all of said lines; and

Further amend said section and page, Line 15, by deleting the first occurrence of a comma, “,”; and

Further amend said page, section and line, by deleting the words, “**or noncritical incidents**,”; and

Further amend said section, Page 2, Lines 21 to 24, by deleting all of said lines and renumbering said

section accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 852, Page 4, Section 105.935, Line 54, by inserting immediately after said line the following:

“287.243. 1. This section shall be known and may be cited as the “Line of Duty Compensation Act”.

2. As used in this section, unless otherwise provided, the following words shall mean:

(1) “Air ambulance pilot”, a person certified as an air ambulance pilot in accordance with sections 190.001 to 190.245 and corresponding regulations applicable to air ambulances adopted by the department of health and senior services, division of regulation and licensure, 19 CSR 30-40.005, et seq.;

(2) “Air ambulance registered professional nurse”, a person licensed as a registered professional nurse in accordance with sections 335.011 to 335.096 and corresponding regulations adopted by the state board of nursing, 20 CSR 2200-4, et seq., who provides registered professional nursing services as a flight nurse in conjunction with an air ambulance program that is certified in accordance with sections 190.001 to 190.245 and the corresponding regulations applicable to such programs;

(3) “Emergency medical technician”, a person licensed in emergency medical care in accordance with standards prescribed by sections 190.001 to 190.245 and by rules adopted by the department of health and senior services under sections 190.001 to 190.245;

(4) “Firefighter”, any person, including a volunteer firefighter, employed by the state or a local governmental entity as an employer defined under subsection 1 of section 287.030, or otherwise serving as a member or officer of a fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims;

(5) “Killed in the line of duty”, when [a] **any** person defined in this section loses [one’s] **his or her** life [as a result of an injury received in the active performance of his or her duties within the ordinary scope of his or her respective profession while the individual is on duty and but for the individual’s performance, death would have not occurred] **when:**

**(a) Death is caused by an accident or the willful act of violence of another;**

**(b) The law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter is in the active performance of his or her duties in his or her respective profession and there is a relationship between the accident or commission of the act of violence and the performance of the duty, even if the individual is off duty; the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter is traveling to or from employment; or the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter is taking any meal break or other break which takes place while that individual is on duty;**

**(c) Death is the natural and probable consequence of the injury; and**

**(d) Death occurs within three hundred weeks from the date the injury was received.**

The term excludes death resulting from the willful misconduct or intoxication of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter. The division of workers' compensation shall have the burden of proving such willful misconduct or intoxication;

(6) "Law enforcement officer", any person employed by the state or a local governmental entity as a police officer, peace officer certified under chapter 590, or serving as an auxiliary police officer or in some like position involving the enforcement of the law and protection of the public interest at the risk of that person's life;

(7) "Local governmental entity", includes counties, municipalities, townships, board or other political subdivision, cities under special charter, or under the commission form of government, fire protection districts, ambulance districts, and municipal corporations;

(8) "State", the state of Missouri and its departments, divisions, boards, bureaus, commissions, authorities, and colleges and universities;

(9) "Volunteer firefighter", a person having principal employment other than as a firefighter, but who is carried on the rolls of a regularly constituted fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims, the members of which are under the jurisdiction of the corporate authorities of a city, village, incorporated town, or fire protection district. Volunteer firefighter shall not mean an individual who volunteers assistance without being regularly enrolled as a firefighter.

3. (1) A claim for compensation under this section shall be filed by the estate of the deceased with the division of workers' compensation not later than one year from the date of death of a law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter. If a claim is made within one year of the date of death of a law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter killed in the line of duty, compensation shall be paid, if the division finds that the claimant is entitled to compensation under this section.

(2) The amount of compensation paid to the claimant shall be twenty-five thousand dollars, subject to appropriation, for death occurring on or after June 19, 2009.

4. Notwithstanding subsection 3 of this section, no compensation is payable under this section unless a claim is filed within the time specified under this section setting forth:

(1) The name, address, and title or designation of the position in which the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter was serving at the time of his or her death;

(2) The name and address of the claimant;

(3) A full, factual account of the circumstances resulting in or the course of events causing the death at issue; and

(4) Such other information that is reasonably required by the division.

When a claim is filed, the division of workers' compensation shall make an investigation for substantiation



of matters set forth in the application.

5. The compensation provided for under this section is in addition to, and not exclusive of, any pension rights, death benefits, or other compensation the claimant may otherwise be entitled to by law.

6. Neither employers nor workers' compensation insurers shall have subrogation rights against any compensation awarded for claims under this section. Such compensation shall not be assignable, shall be exempt from attachment, garnishment, and execution, and shall not be subject to setoff or counterclaim, or be in any way liable for any debt, except that the division or commission may allow as lien on the compensation, reasonable attorney's fees for services in connection with the proceedings for compensation if the services are found to be necessary. Such fees are subject to regulation as set forth in section 287.260.

7. Any person seeking compensation under this section who is aggrieved by the decision of the division of workers' compensation regarding his or her compensation claim, may make application for a hearing as provided in section 287.450. The procedures applicable to the processing of such hearings and determinations shall be those established by this chapter. Decisions of the administrative law judge under this section shall be binding, subject to review by either party under the provisions of section 287.480.

8. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after June 19, 2009, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

9. The provisions of this section, unless specified, shall not be subject to other provisions of this chapter.

10. There is hereby created in the state treasury the "Line of Duty Compensation Fund", which shall consist of moneys appropriated to the fund and any voluntary contributions, gifts, or bequests to the fund. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for paying claims under this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

11. The division shall promulgate rules to administer this section, including but not limited to the appointment of claims to multiple claimants, record retention, and procedures for information requests. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after June 19, [2009] **2019**, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

## HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 852, Page 4, Section 105.935, Line 54, by inserting after all of said section and line the following:

**“227.411. Highway A connecting Highway 32 and Highway 49 in Iron and Reynolds counties shall be designated the “Latham Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs for such designation to be paid by private donations.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 6

Amend House Amendment No. 6 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 852, Page 2, Line 47, by deleting the opening bracket and on Page 3, Line 28, by deleting the closing bracket; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

## HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 852, Page 4, Section 105.935, Line 54, by inserting immediately after said line the following:

“301.067. 1. For each trailer or semitrailer there shall be paid an annual fee of seven dollars fifty cents, and in addition thereto such permit fee authorized by law against trailers used in combination with tractors operated under the supervision of the motor carrier and railroad safety division of the department of economic development. The fees for tractors used in any combination with trailers or semitrailers or both trailers and semitrailers (other than on passenger-carrying trailers or semitrailers) shall be computed on the total gross weight of the vehicles in the combination with load.

2. Any trailer or semitrailer may at the option of the registrant be registered for a period of three years upon payment of a registration fee of twenty-two dollars and fifty cents.

3. Any trailer as defined in section 301.010 or semitrailer [which is operated coupled to a towing vehicle by a fifth wheel and kingpin assembly or by a trailer converter dolly] may, at the option of the registrant, be registered permanently upon the payment of a registration fee of fifty-two dollars and fifty cents. The permanent plate and registration fee is vehicle specific. The plate and the registration fee paid is nontransferable and nonrefundable, except those covered under the provisions of section 301.442.

301.227. 1. Whenever a vehicle is sold for salvage, dismantling or rebuilding, the purchaser shall forward to the director of revenue within ten days the certificate of ownership or salvage certificate of title and the proper application and fee of eight dollars and fifty cents, and the director shall issue a negotiable salvage certificate of title to the purchaser of the salvaged vehicle. On vehicles purchased during a year that is no more than six years after the manufacturer’s model year designation for such vehicle, it shall be mandatory that the purchaser apply for a salvage title. On vehicles purchased during a year that is more than six years after the manufacturer’s model year designation for such vehicle, then application for a salvage title shall be optional on the part of the purchaser. Whenever a vehicle is sold for destruction and a salvage

certificate of title, junking certificate, or certificate of ownership exists, the seller, if licensed under sections 301.217 to 301.221, shall forward the certificate to the director of revenue within ten days, with the notation of the date sold for destruction and the name of the purchaser clearly shown on the face of the certificate.

2. Whenever a vehicle is classified as “junk”, as defined in section 301.010, the purchaser may forward to the director of revenue the salvage certificate of title or certificate of ownership and the director shall issue a negotiable junking certificate [to the purchaser of the vehicle] **which shall authorize the holder to possess, transport, or, by assignment, transfer ownership in such parts, scrap, or junk.** The director may also issue a junking certificate to a possessor of a vehicle manufactured twenty-six years or more prior to the current model year who has a bill of sale for said vehicle but does not possess a certificate of ownership, provided no claim of theft has been made on the vehicle and the highway patrol has by letter stated the vehicle is not listed as stolen after checking the registration number through its nationwide computer system. Such certificate may be granted within thirty days of the submission of a request.

3. [Upon receipt of a properly completed application for a junking certificate, the director of revenue shall issue to the applicant a junking certificate which shall authorize the holder to possess, transport, or, by assignment, transfer ownership in such parts, scrap or junk, and a certificate of title shall not again be issued for such vehicle; except that, the initial purchaser] **Notwithstanding any other provision of law, for any vehicle with a junk or substantially equivalent designation, whether so designated in Missouri or any other state, regardless of whether such designation has been subsequently changed erroneously or by law in this or any other state, the department shall only issue a junking certificate, and a salvage or original certificate of title shall not thereafter be issued for such vehicle. If the vehicle has not previously been designated as junk or any other substantially equivalent designation from this state or any other state, the applicant making the original junking certification application** shall, within ninety days, be allowed to rescind [his] the application for a junking certificate by surrendering the junking certificate and apply for a salvage certificate of title in [his] **the applicant’s** name. The seller of a vehicle for which a junking certificate has been applied for or issued shall disclose such fact in writing to any prospective buyers before sale of such vehicle; otherwise the sale shall be voidable at the option of the buyer.

4. No scrap metal operator shall acquire or purchase a motor vehicle or parts thereof without, at the time of such acquisition, receiving the original certificate of title or salvage certificate of title or junking certificate from the seller of the vehicle or parts, unless the seller is a licensee under sections 301.219 to 301.221.

5. All titles and certificates required to be received by scrap metal operators from nonlicensees shall be forwarded by the operator to the director of revenue within ten days of the receipt of the vehicle or parts.

6. The scrap metal operator shall keep a record, for three years, of the seller’s name and address, the salvage business license number of the licensee, date of purchase, and any vehicle or parts identification numbers open for inspection as provided in section 301.225.

7. Notwithstanding any other provision of this section, a motor vehicle dealer as defined in section 301.550 and licensed under the provisions of sections 301.550 to 301.572 may negotiate one reassignment of a salvage certificate of title on the back thereof.

8. Notwithstanding the provisions of subsection 1 of this section, an insurance company which settles a claim for a stolen vehicle may apply for and shall be issued a negotiable salvage certificate of title without

the payment of any fee upon proper application within thirty days after settlement of the claim for such stolen vehicle. However, if the insurance company upon recovery of a stolen vehicle determines that the stolen vehicle has not sustained damage to the extent that the vehicle would have otherwise been declared a salvage vehicle pursuant to subdivision (51) of section 301.010, then the insurance company may have the vehicle inspected by the Missouri state highway patrol, or other law enforcement agency authorized by the director of revenue, in accordance with the inspection provisions of subsection 9 of section 301.190. Upon receipt of title application, applicable fee, the completed inspection, and the return of any previously issued negotiable salvage certificate, the director shall issue an original title with no salvage or prior salvage designation. Upon the issuance of an original title the director shall remove any indication of the negotiable salvage title previously issued to the insurance company from the department's electronic records.

[9. Notwithstanding subsection 4 of this section or any other provision of the law to the contrary, if a motor vehicle is inoperable and is at least ten model years old, or the parts are from a motor vehicle that is inoperable and is at least ten model years old, a scrap metal operator may purchase or acquire such motor vehicle or parts without receiving the original certificate of title, salvage certificate of title, or junking certificate from the seller of the vehicle or parts, provided the scrap metal operator verifies with the department of revenue, via the department's online record access, that the motor vehicle is not subject to any recorded security interest or lien and the scrap metal operator complies with the requirements of this subsection. In lieu of forwarding certificates of titles for such motor vehicles as required by subsection 5 of this section, the scrap metal operator shall forward a copy of the seller's state identification along with a bill of sale to the department of revenue. The bill of sale form shall be designed by the director and such form shall include, but not be limited to, a certification that the motor vehicle is at least ten model years old, is inoperable, is not subject to any recorded security interest or lien, and a certification by the seller that the seller has the legal authority to sell or otherwise transfer the seller's interest in the motor vehicle or parts. Upon receipt of the information required by this subsection, the department of revenue shall cancel any certificate of title and registration for the motor vehicle. If the motor vehicle is inoperable and at least twenty model years old, then the scrap metal operator shall not be required to verify with the department of revenue whether the motor vehicle is subject to any recorded security interests or liens. As used in this subsection, the term "inoperable" means a motor vehicle that is in a rusted, wrecked, discarded, worn out, extensively damaged, dismantled, and mechanically inoperative condition and the vehicle's highest and best use is for scrap purposes. The director of the department of revenue is directed to promulgate rules and regulations to implement and administer the provisions of this section, including but not limited to, the development of a uniform bill of sale. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 852, Page 9, Section 590.750, Line 12, by inserting after all of said section and line the following:

**“632.520. 1. For purposes of this section, the following terms mean:**

**(1) “Employee of the department of mental health”, a person who is an employee of the department of mental health, an employee or contracted employee of a subcontractor of the department of mental health, or an employee or contracted employee of a subcontractor of an entity responsible for confining offenders as authorized by section 632.495;**

**(2) “Offender”, a person ordered to the department of mental health after a determination by the court that the person meets the definition of a sexually violent predator, a person ordered to the department of mental health after a finding of probable cause under section 632.489, or a person committed for control, care, and treatment by the department of mental health under sections 632.480 to 632.513;**

**(3) “Secure facility”, a facility operated by the department of mental health or an entity responsible for confining offenders as authorized by section 632.495.**

**2. No offender shall knowingly commit violence to an employee of the department of mental health or to another offender housed in a secure facility. Violation of this subsection shall be a class B felony.**

**3. No offender shall knowingly damage any building or other property owned or operated by the department of mental health. Violation of this subsection shall be a class C felony.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR  
HOUSE AMENDMENT NO. 8**

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 852, Page 4, Section 105.935, Line 54, by inserting after all of said line the following:

**“334.950. 1. As used in this section, the following terms shall mean:**

**(1) “Child abuse medical resource centers”, medical institutions affiliated with accredited children’s hospitals or recognized institutions of higher education with accredited medical school programs that provide training, support, mentoring, and peer review to SAFE CARE providers in Missouri;**

**(2) “SAFE CARE provider”, a physician, advanced practice nurse, or physician’s assistant licensed in this state who provides medical diagnosis and treatment to children suspected of being victims of abuse and who receives:**

**(a) Missouri-based initial intensive training regarding child maltreatment from the SAFE CARE network;**

**(b) Ongoing update training on child maltreatment from the SAFE CARE network;**

**(c) Peer review and new provider mentoring regarding the forensic evaluation of children suspected of being victims of abuse from the SAFE CARE network;**

**(3) “Sexual assault forensic examination child abuse resource education network” or “SAFE CARE network”, a network of SAFE CARE providers and child abuse medical resource centers that collaborate to provide forensic evaluations, medical training, support, mentoring, and peer review for SAFE CARE providers for the medical evaluation of child abuse victims in this state to improve outcomes for children**

who are victims of or at risk for child maltreatment by enhancing the skills and role of the medical provider in a multidisciplinary context.

2. Child abuse medical resource centers may collaborate directly or through the use of technology with SAFE CARE providers to promote improved services to children who are suspected victims of abuse that will need to have a forensic medical evaluation conducted by providing specialized training for forensic medical evaluations for children conducted in a hospital, child advocacy center, or by a private health care professional without the need for a collaborative agreement between the child abuse medical resource center and a SAFE CARE provider.

3. SAFE CARE providers who are a part of the SAFE CARE network in Missouri may collaborate directly or through the use of technology with other SAFE CARE providers and child abuse medical resource centers to promote improved services to children who are suspected victims of abuse that will need to have a forensic medical evaluation conducted by providing specialized training for forensic medical evaluations for children conducted in a hospital, child advocacy center, or by a private health care professional without the need for a collaborative agreement between the child abuse medical resource center and a SAFE CARE provider.

4. The SAFE CARE network shall develop recommendations concerning medically based screening processes and forensic evidence collection for children who may be in need of an emergency examination following an alleged sexual assault. Such recommendations shall be provided to the SAFE CARE providers, child advocacy centers, hospitals and licensed practitioners that provide emergency examinations for children suspected of being victims of abuse.

**5. The department of public safety shall establish rules and make payments to SAFE CARE providers, out of appropriations made for that purpose, who provide forensic examinations of persons under eighteen years of age who are alleged victims of physical abuse.**

**6. The department shall establish maximum reimbursement rates for charges submitted under this section, which shall reflect the reasonable cost of providing the forensic exam.**

**7. The department shall only reimburse providers for forensic evaluations and case reviews. The department shall not reimburse providers for medical procedures, facility fees, supplies or laboratory/radiology tests.**

**8. In order for the department to provide reimbursement, the child shall be the subject of a child abuse investigation or reported to the children's division as a result of the examination.**

**9. A minor may consent to examination under this section. Such consent is not subject to disaffirmance because of the individual's status as a minor, and the consent of a parent or guardian of the minor is not required for such examination.”; and**

Further amend said bill, Page 4, Section 105.935, Line 54, by inserting after all of said line the following:

“287.243. 1. This section shall be known and may be cited as the “Line of Duty Compensation Act”.

2. As used in this section, unless otherwise provided, the following words shall mean:

(1) “Air ambulance pilot”, a person certified as an air ambulance pilot in accordance with sections

190.001 to 190.245 and corresponding regulations applicable to air ambulances adopted by the department of health and senior services, division of regulation and licensure, 19 CSR 30-40.005, et seq.;

(2) “Air ambulance registered professional nurse”, a person licensed as a registered professional nurse in accordance with sections 335.011 to 335.096 and corresponding regulations adopted by the state board of nursing, 20 CSR 2200-4, et seq., who provides registered professional nursing services as a flight nurse in conjunction with an air ambulance program that is certified in accordance with sections 190.001 to 190.245 and the corresponding regulations applicable to such programs;

(3) “Emergency medical technician”, a person licensed in emergency medical care in accordance with standards prescribed by sections 190.001 to 190.245 and by rules adopted by the department of health and senior services under sections 190.001 to 190.245;

(4) “Firefighter”, any person, including a volunteer firefighter, employed by the state or a local governmental entity as an employer defined under subsection 1 of section 287.030, or otherwise serving as a member or officer of a fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims;

(5) “Killed in the line of duty”, when [a] **any person defined in this section loses [one’s] his or her life [as a result of an injury received in the active performance of his or her duties within the ordinary scope of his or her respective profession while the individual is on duty and but for the individual’s performance, death would have not occurred] when:**

**(a) Death is caused by an accident or the willful act of violence of another;**

**(b) The law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter is in the active performance of his or her duties in his or her respective profession and there is a relationship between the accident or commission of the act of violence and the performance of the duty, even if the individual is off duty; the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter is traveling to or from employment; or the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter is taking any meal break or other break which takes place while that individual is on duty;**

**(c) Death is the natural and probable consequence of the injury; and**

**(d) Death occurs within three hundred weeks from the date the injury was received.**

The term excludes death resulting from the willful misconduct or intoxication of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter. The division of workers’ compensation shall have the burden of proving such willful misconduct or intoxication;

(6) “Law enforcement officer”, any person employed by the state or a local governmental entity as a police officer, peace officer certified under chapter 590, or serving as an auxiliary police officer or in some like position involving the enforcement of the law and protection of the public interest at the risk of that person’s life;

(7) “Local governmental entity”, includes counties, municipalities, townships, board or other political

subdivision, cities under special charter, or under the commission form of government, fire protection districts, ambulance districts, and municipal corporations;

(8) “State”, the state of Missouri and its departments, divisions, boards, bureaus, commissions, authorities, and colleges and universities;

(9) “Volunteer firefighter”, a person having principal employment other than as a firefighter, but who is carried on the rolls of a regularly constituted fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims, the members of which are under the jurisdiction of the corporate authorities of a city, village, incorporated town, or fire protection district. Volunteer firefighter shall not mean an individual who volunteers assistance without being regularly enrolled as a firefighter.

3. (1) A claim for compensation under this section shall be filed by the estate of the deceased with the division of workers’ compensation not later than one year from the date of death of a law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter. If a claim is made within one year of the date of death of a law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter killed in the line of duty, compensation shall be paid, if the division finds that the claimant is entitled to compensation under this section.

(2) The amount of compensation paid to the claimant shall be twenty-five thousand dollars, subject to appropriation, for death occurring on or after June 19, 2009.

4. Notwithstanding subsection 3 of this section, no compensation is payable under this section unless a claim is filed within the time specified under this section setting forth:

(1) The name, address, and title or designation of the position in which the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter was serving at the time of his or her death;

(2) The name and address of the claimant;

(3) A full, factual account of the circumstances resulting in or the course of events causing the death at issue; and

(4) Such other information that is reasonably required by the division.

When a claim is filed, the division of workers’ compensation shall make an investigation for substantiation of matters set forth in the application.

5. The compensation provided for under this section is in addition to, and not exclusive of, any pension rights, death benefits, or other compensation the claimant may otherwise be entitled to by law.

6. Neither employers nor workers’ compensation insurers shall have subrogation rights against any compensation awarded for claims under this section. Such compensation shall not be assignable, shall be exempt from attachment, garnishment, and execution, and shall not be subject to setoff or counterclaim, or be in any way liable for any debt, except that the division or commission may allow as lien on the compensation, reasonable attorney’s fees for services in connection with the proceedings for compensation if the services are found to be necessary. Such fees are subject to regulation as set forth in section 287.260.

7. Any person seeking compensation under this section who is aggrieved by the decision of the division



of workers' compensation regarding his or her compensation claim, may make application for a hearing as provided in section 287.450. The procedures applicable to the processing of such hearings and determinations shall be those established by this chapter. Decisions of the administrative law judge under this section shall be binding, subject to review by either party under the provisions of section 287.480.

8. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after June 19, [2009] **2019**, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

9. The provisions of this section, unless specified, shall not be subject to other provisions of this chapter.

10. There is hereby created in the state treasury the "Line of Duty Compensation Fund", which shall consist of moneys appropriated to the fund and any voluntary contributions, gifts, or bequests to the fund. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for paying claims under this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

11. The division shall promulgate rules to administer this section, including but not limited to the appointment of claims to multiple claimants, record retention, and procedures for information requests. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after June 19, 2009, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS No. 2** for **SB 754**, entitled:

An Act to repeal sections 208.790, 208.798, 338.010, 338.059, and 338.220, RSMo, and to enact in lieu thereof nine new sections relating to health care.

With House Amendment Nos. 1, 2, 3, 4, 5, 6 and 7.

## HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 754, Page 5, Section 196.990, Line 90, by inserting after all of said section and line the following:

“208.631. 1. Notwithstanding any other provision of law to the contrary, the MO HealthNet division shall establish a program to pay for health care for uninsured children. Coverage pursuant to sections 208.631 to [208.659] **208.658** is subject to appropriation. The provisions of sections 208.631 to [208.569] **208.658**, health care for uninsured children, shall be void and of no effect if there are no funds of the United States appropriated by Congress to be provided to the state on the basis of a state plan approved by the federal government under the federal Social Security Act. If funds are appropriated by the United States Congress, the department of social services is authorized to manage the state children’s health insurance program (SCHIP) allotment in order to ensure that the state receives maximum federal financial participation. Children in households with incomes up to one hundred fifty percent of the federal poverty level may meet all Title XIX program guidelines as required by the Centers for Medicare and Medicaid Services. Children in households with incomes of one hundred fifty percent to three hundred percent of the federal poverty level shall continue to be eligible as they were and receive services as they did on June 30, 2007, unless changed by the Missouri general assembly.

2. For the purposes of sections 208.631 to [208.659] **208.658**, “children” are persons up to nineteen years of age. “Uninsured children” are persons up to nineteen years of age who are emancipated and do not have access to affordable employer-subsidized health care insurance or other health care coverage or persons whose parent or guardian have not had access to affordable employer-subsidized health care insurance or other health care coverage for their children [for six months] prior to application, are residents of the state of Missouri, and have parents or guardians who meet the requirements in section 208.636. A child who is eligible for MO HealthNet benefits as authorized in section 208.151 is not uninsured for the purposes of sections 208.631 to [208.659] **208.658**.

208.636. Parents and guardians of uninsured children eligible for the program established in sections 208.631 to [208.657] **208.658** shall:

(1) Furnish to the department of social services the uninsured child’s Social Security number or numbers, if the uninsured child has more than one such number;

(2) Cooperate with the department of social services in identifying and providing information to assist the state in pursuing any third-party insurance carrier who may be liable to pay for health care;

(3) Cooperate with the department of social services, division of child support enforcement in establishing paternity and in obtaining support payments, including medical support; **and**

(4) Demonstrate upon request their child’s participation in wellness programs including immunizations and a periodic physical examination. This subdivision shall not apply to any child whose parent or legal guardian objects in writing to such wellness programs including immunizations and an annual physical examination because of religious beliefs or medical contraindications[; and

(5) Demonstrate annually that their total net worth does not exceed two hundred fifty thousand dollars in total value].

208.640. 1. Parents and guardians of uninsured children with incomes of more than one hundred fifty

but less than three hundred percent of the federal poverty level who do not have access to affordable employer-sponsored health care insurance or other affordable health care coverage may obtain coverage for their children under this section. Health insurance plans that do not cover an eligible child's preexisting condition shall not be considered affordable employer-sponsored health care insurance or other affordable health care coverage. For the purposes of sections 208.631 to [208.659] **208.658**, "affordable employer-sponsored health care insurance or other affordable health care coverage" refers to health insurance requiring a monthly premium of:

(1) Three percent of one hundred fifty percent of the federal poverty level for a family of three for families with a gross income of more than one hundred fifty and up to one hundred eighty-five percent of the federal poverty level for a family of three;

(2) Four percent of one hundred eighty-five percent of the federal poverty level for a family of three for a family with a gross income of more than one hundred eighty-five and up to two hundred twenty-five percent of the federal poverty level;

(3) Five percent of two hundred twenty-five percent of the federal poverty level for a family of three for a family with a gross income of more than two hundred twenty-five but less than three hundred percent of the federal poverty level.

The parents and guardians of eligible uninsured children pursuant to this section are responsible for a monthly premium as required by annual state appropriation; provided that the total aggregate cost sharing for a family covered by these sections shall not exceed five percent of such family's income for the years involved. No co-payments or other cost sharing is permitted with respect to benefits for well-baby and well-child care including age-appropriate immunizations. Cost-sharing provisions for their children under sections 208.631 to [208.659] **208.658** shall not exceed the limits established by 42 U.S.C. Section 1397cc(e). If a child has exceeded the annual coverage limits for all health care services, the child is not considered insured and does not have access to affordable health insurance within the meaning of this section.

2. The department of social services shall study the expansion of a presumptive eligibility process for children for medical assistance benefits.

208.643. 1. The department of social services shall implement policies establishing a program to pay for health care for uninsured children by rules promulgated pursuant to chapter 536, either statewide or in certain geographic areas, subject to obtaining necessary federal approval and appropriation authority. The rules may provide for a health care services package that includes all medical services covered by section 208.152, except nonemergency transportation.

2. Available income shall be determined by the department of social services by rule, which shall comply with federal laws and regulations relating to the state's eligibility to receive federal funds to implement the insurance program established in sections 208.631 to [208.657] **208.658**.

208.646. There shall be a thirty-day waiting period after enrollment for uninsured children in families with an income of more than two hundred twenty-five percent of the federal poverty level before the child becomes eligible for insurance under the provisions of sections 208.631 to [208.660] **208.658**. If the parent or guardian with an income of more than two hundred twenty-five percent of the federal poverty level fails to meet the co-payment or premium requirements, the child shall not be eligible for coverage under sections

208.631 to [208.660] **208.658** for [six months] **ninety days** after the department provides notice of such failure to the parent or guardian.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 754, Page 2, Section 191.1140, Line 14, by inserting after all of said section and line the following:

“195.070. 1. A physician, podiatrist, dentist, a registered optometrist certified to administer pharmaceutical agents as provided in section 336.220, **or an assistant physician in accordance with section 334.037** or a physician assistant in accordance with section 334.747 in good faith and in the course of his or her professional practice only, may prescribe, administer, and dispense controlled substances or he or she may cause the same to be administered or dispensed by an individual as authorized by statute.

2. An advanced practice registered nurse, as defined in section 335.016, but not a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016, who holds a certificate of controlled substance prescriptive authority from the board of nursing under section 335.019 and who is delegated the authority to prescribe controlled substances under a collaborative practice arrangement under section 334.104 may prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017. However, no such certified advanced practice registered nurse shall prescribe controlled substance for his or her own self or family. Schedule III narcotic controlled substance prescriptions shall be limited to a one hundred twenty-hour supply without refill.

3. A veterinarian, in good faith and in the course of the veterinarian’s professional practice only, and not for use by a human being, may prescribe, administer, and dispense controlled substances and the veterinarian may cause them to be administered by an assistant or orderly under his or her direction and supervision.

4. A practitioner shall not accept any portion of a controlled substance unused by a patient, for any reason, if such practitioner did not originally dispense the drug.

5. An individual practitioner shall not prescribe or dispense a controlled substance for such practitioner’s personal use except in a medical emergency.”; and

Further amend said bill, Page 5, Section 208.798, Line 2, by inserting after all of said line the following:

“334.035. **Except as otherwise provided in section 334.036**, every applicant for a permanent license as a physician and surgeon shall provide the board with satisfactory evidence of having successfully completed such postgraduate training in hospitals or medical or osteopathic colleges as the board may prescribe by rule.

**334.036. 1. For purposes of this section, the following terms shall mean:**

(1) “Assistant physician”, any medical school graduate who:

(a) Is a resident and citizen of the United States or is a legal resident alien;

(b) Has successfully completed Step 1 and Step 2 of the United States Medical Licensing Examination or the equivalent of such steps of any other board-approved medical licensing

examination within the two-year period immediately preceding application for licensure as an assistant physician, but in no event more than three years after graduation from a medical college or osteopathic medical college;

(c) Has not completed an approved postgraduate residency and has successfully completed Step 2 of the United States Medical Licensing Examination or the equivalent of such step of any other board-approved medical licensing examination within the immediately preceding two-year period unless when such two-year anniversary occurs he or she was serving as a resident physician in an accredited residency in the United States and continued to do so within thirty days prior to application for licensure as an assistant physician; and

(d) Has proficiency in the English language;

(2) “Assistant physician collaborative practice arrangement”, an agreement between a physician and an assistant physician that meets the requirements of this section and section 334.037;

(3) “Medical school graduate”, any person who has graduated from a medical college or osteopathic medical college described in section 334.031.

2. (1) An assistant physician collaborative practice arrangement shall limit the assistant physician to providing only primary care services and only in medically underserved rural or urban areas of this state or in any pilot project areas established in which assistant physicians may practice.

(2) For a physician-assistant physician team working in a rural health clinic under the federal Rural Health Clinic Services Act, P.L. 95-210, as amended:

(a) An assistant physician shall be considered a physician assistant for purposes of regulations of the Centers for Medicare and Medicaid Services (CMS); and

(b) No supervision requirements in addition to the minimum federal law shall be required.

3. (1) For purposes of this section, the licensure of assistant physicians shall take place within processes established by rules of the state board of registration for the healing arts. The board of healing arts is authorized to establish rules under chapter 536 establishing licensure and renewal procedures, supervision, collaborative practice arrangements, fees, and addressing such other matters as are necessary to protect the public and discipline the profession. An application for licensure may be denied or the licensure of an assistant physician may be suspended or revoked by the board in the same manner and for violation of the standards as set forth by section 334.100, or such other standards of conduct set by the board by rule.

(2) Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.

4. An assistant physician shall clearly identify himself or herself as an assistant physician and shall be permitted to use the terms “doctor”, “Dr.”, or “doc”. No assistant physician shall practice or

attempt to practice without an assistant physician collaborative practice arrangement, except as otherwise provided in this section and in an emergency situation.

5. The collaborating physician is responsible at all times for the oversight of the activities of and accepts responsibility for primary care services rendered by the assistant physician.

6. The provisions of section 334.037 shall apply to all assistant physician collaborative practice arrangements. To be eligible to practice as an assistant physician, a licensed assistant physician shall enter into an assistant physician collaborative practice arrangement within six months of his or her initial licensure and shall not have more than a six-month time period between collaborative practice arrangements during his or her licensure period. Any renewal of licensure under this section shall include verification of actual practice under a collaborative practice arrangement in accordance with this subsection during the immediately preceding licensure period.

334.037. 1. A physician may enter into collaborative practice arrangements with assistant physicians. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to an assistant physician the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the assistant physician and is consistent with that assistant physician's skill, training, and competence and the skill and training of the collaborating physician.

2. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the assistant physician;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the assistant physician to prescribe;

(3) A requirement that there shall be posted at every office where the assistant physician is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an assistant physician and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the assistant physician;

(5) The manner of collaboration between the collaborating physician and the assistant physician, including how the collaborating physician and the assistant physician shall:

(a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;

(b) Maintain geographic proximity; except, the collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-210, as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. Such exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics if the provider is a critical access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based

rural health clinics if the main location of the hospital sponsor is greater than fifty miles from the clinic. The collaborating physician shall maintain documentation related to such requirement and present it to the state board of registration for the healing arts when requested; and

(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(6) A description of the assistant physician's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the assistant physician to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the assistant physician;

(8) The duration of the written practice agreement between the collaborating physician and the assistant physician;

(9) A description of the time and manner of the collaborating physician's review of the assistant physician's delivery of health care services. The description shall include provisions that the assistant physician shall submit a minimum of ten percent of the charts documenting the assistant physician's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days; and

(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the assistant physician prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.

3. The state board of registration for the healing arts under section 334.125 shall promulgate rules regulating the use of collaborative practice arrangements for assistant physicians. Such rules shall specify:

(1) Geographic areas to be covered;

(2) The methods of treatment that may be covered by collaborative practice arrangements;

(3) In conjunction with deans of medical schools and primary care residency program directors in the state, the development and implementation of educational methods and programs undertaken during the collaborative practice service which shall facilitate the advancement of the assistant physician's medical knowledge and capabilities, and which may lead to credit toward a future residency program for programs that deem such documented educational achievements acceptable; and

(4) The requirements for review of services provided under collaborative practice arrangements, including delegating authority to prescribe controlled substances.

Any rules relating to dispensing or distribution of medications or devices by prescription or

prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. The state board of registration for the healing arts shall promulgate rules applicable to assistant physicians that shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

4. The state board of registration for the healing arts shall not deny, revoke, suspend, or otherwise take disciplinary action against a collaborating physician for health care services delegated to an assistant physician provided the provisions of this section and the rules promulgated thereunder are satisfied.

5. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice arrangement, including collaborative practice arrangements delegating the authority to prescribe controlled substances, and also report to the board the name of each assistant physician with whom the physician has entered into such arrangement. The board may make such information available to the public. The board shall track the reported information and may routinely conduct random reviews of such arrangements to ensure that arrangements are carried out for compliance under this chapter.

6. A collaborating physician shall not enter into a collaborative practice arrangement with more than three full-time equivalent assistant physicians. Such limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

7. The collaborating physician shall determine and document the completion of at least a one-month period of time during which the assistant physician shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. Such limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

8. No agreement made under this section shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

9. No contract or other agreement shall require a physician to act as a collaborating physician for an assistant physician against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular assistant physician. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any assistant physician, but such requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by a hospital's medical



staff.

**10. No contract or other agreement shall require any assistant physician to serve as a collaborating assistant physician for any collaborating physician against the assistant physician's will. An assistant physician shall have the right to refuse to collaborate, without penalty, with a particular physician.**

**11. All collaborating physicians and assistant physicians in collaborative practice arrangements shall wear identification badges while acting within the scope of their collaborative practice arrangement. The identification badges shall prominently display the licensure status of such collaborating physicians and assistant physicians.**

**12. (1) An assistant physician assistant with a certificate of controlled substance prescriptive authority as provided in this section may prescribe any controlled substance listed in schedule III, IV, or V of section 195.017 when delegated the authority to prescribe controlled substances in a collaborative practice arrangement. Such authority shall be filed with the state board of registration for the healing arts. The collaborating physician shall maintain the right to limit a specific scheduled drug or scheduled drug category that the assistant physician is permitted to prescribe. Any limitations shall be listed in the collaborative practice arrangement. Assistant physicians shall not prescribe controlled substances for themselves or members of their families. Schedule III controlled substances shall be limited to a five-day supply without refill. Assistant physicians who are authorized to prescribe controlled substances under this section shall register with the federal Drug Enforcement Administration and the state bureau of narcotics and dangerous drugs, and shall include the Drug Enforcement Administration registration number on prescriptions for controlled substances.**

**(2) The collaborating physician shall be responsible to determine and document the completion of at least one hundred twenty hours in a four-month period by the assistant physician during which the assistant physician shall practice with the collaborating physician on-site prior to prescribing controlled substances when the collaborating physician is not on-site. Such limitation shall not apply to assistant physicians of population-based public health services as defined in 20 CSR 2150-5.100 as of April 30, 2009.**

**(3) An assistant physician shall receive a certificate of controlled substance prescriptive authority from the state board of registration for the healing arts upon verification of licensure under section 334.036.**

334.735. 1. As used in sections 334.735 to 334.749, the following terms mean:

(1) "Applicant", any individual who seeks to become licensed as a physician assistant;

(2) "Certification" or "registration", a process by a certifying entity that grants recognition to applicants meeting predetermined qualifications specified by such certifying entity;

(3) "Certifying entity", the nongovernmental agency or association which certifies or registers individuals who have completed academic and training requirements;

(4) "Department", the department of insurance, financial institutions and professional registration or a designated agency thereof;

(5) "License", a document issued to an applicant by the board acknowledging that the applicant is entitled to practice as a physician assistant;

(6) “Physician assistant”, a person who has graduated from a physician assistant program accredited by the American Medical Association’s Committee on Allied Health Education and Accreditation or by its successor agency, who has passed the certifying examination administered by the National Commission on Certification of Physician Assistants and has active certification by the National Commission on Certification of Physician Assistants who provides health care services delegated by a licensed physician. A person who has been employed as a physician assistant for three years prior to August 28, 1989, who has passed the National Commission on Certification of Physician Assistants examination, and has active certification of the National Commission on Certification of Physician Assistants;

(7) “Recognition”, the formal process of becoming a certifying entity as required by the provisions of sections 334.735 to 334.749;

(8) “Supervision”, control exercised over a physician assistant working with a supervising physician and oversight of the activities of and accepting responsibility for the physician assistant’s delivery of care. The physician assistant shall only practice at a location where the physician routinely provides patient care, except existing patients of the supervising physician in the patient’s home and correctional facilities. The supervising physician must be immediately available in person or via telecommunication during the time the physician assistant is providing patient care. Prior to commencing practice, the supervising physician and physician assistant shall attest on a form provided by the board that the physician shall provide supervision appropriate to the physician assistant’s training and that the physician assistant shall not practice beyond the physician assistant’s training and experience. Appropriate supervision shall require the supervising physician to be working within the same facility as the physician assistant for at least four hours within one calendar day for every fourteen days on which the physician assistant provides patient care as described in subsection 3 of this section. Only days in which the physician assistant provides patient care as described in subsection 3 of this section shall be counted toward the fourteen-day period. The requirement of appropriate supervision shall be applied so that no more than thirteen calendar days in which a physician assistant provides patient care shall pass between the physician’s four hours working within the same facility. The board shall promulgate rules pursuant to chapter 536 for documentation of joint review of the physician assistant activity by the supervising physician and the physician assistant.

2. (1) A supervision agreement shall limit the physician assistant to practice only at locations described in subdivision (8) of subsection 1 of this section, where the supervising physician is no further than fifty miles by road using the most direct route available and where the location is not so situated as to create an impediment to effective intervention and supervision of patient care or adequate review of services.

(2) For a physician-physician assistant team working in a rural health clinic under the federal Rural Health Clinic Services Act, P.L. 95-210, as amended, no supervision requirements in addition to the minimum federal law shall be required.

3. The scope of practice of a physician assistant shall consist only of the following services and procedures:

(1) Taking patient histories;

(2) Performing physical examinations of a patient;

(3) Performing or assisting in the performance of routine office laboratory and patient screening procedures;

(4) Performing routine therapeutic procedures;

(5) Recording diagnostic impressions and evaluating situations calling for attention of a physician to institute treatment procedures;

(6) Instructing and counseling patients regarding mental and physical health using procedures reviewed and approved by a licensed physician;

(7) Assisting the supervising physician in institutional settings, including reviewing of treatment plans, ordering of tests and diagnostic laboratory and radiological services, and ordering of therapies, using procedures reviewed and approved by a licensed physician;

(8) Assisting in surgery;

(9) Performing such other tasks not prohibited by law under the supervision of a licensed physician as the physician's assistant has been trained and is proficient to perform; and

(10) Physician assistants shall not perform or prescribe abortions.

4. Physician assistants shall not prescribe nor dispense any drug, medicine, device or therapy unless pursuant to a physician supervision agreement in accordance with the law, nor prescribe lenses, prisms or contact lenses for the aid, relief or correction of vision or the measurement of visual power or visual efficiency of the human eye, nor administer or monitor general or regional block anesthesia during diagnostic tests, surgery or obstetric procedures. Prescribing and dispensing of drugs, medications, devices or therapies by a physician assistant shall be pursuant to a physician assistant supervision agreement which is specific to the clinical conditions treated by the supervising physician and the physician assistant shall be subject to the following:

(1) A physician assistant shall only prescribe controlled substances in accordance with section 334.747;

(2) The types of drugs, medications, devices or therapies prescribed or dispensed by a physician assistant shall be consistent with the scopes of practice of the physician assistant and the supervising physician;

(3) All prescriptions shall conform with state and federal laws and regulations and shall include the name, address and telephone number of the physician assistant and the supervising physician;

(4) A physician assistant, or advanced practice registered nurse as defined in section 335.016 may request, receive and sign for noncontrolled professional samples and may distribute professional samples to patients;

(5) A physician assistant shall not prescribe any drugs, medicines, devices or therapies the supervising physician is not qualified or authorized to prescribe; and

(6) A physician assistant may only dispense starter doses of medication to cover a period of time for seventy-two hours or less.

5. A physician assistant shall clearly identify himself or herself as a physician assistant and shall not use or permit to be used in the physician assistant's behalf the terms "doctor", "Dr." or "doc" nor hold himself or herself out in any way to be a physician or surgeon. No physician assistant shall practice or attempt to practice without physician supervision or in any location where the supervising physician is not immediately available for consultation, assistance and intervention, except as otherwise provided in this section, and in an emergency situation, nor shall any physician assistant bill a patient independently or directly for any services or procedure by the physician assistant; **except that, nothing in this subsection shall be construed to prohibit a physician assistant from enrolling with the department of social services as**

**a MO HealthNet provider while acting under a supervision agreement between the physician and physician assistant.**

6. For purposes of this section, the licensing of physician assistants shall take place within processes established by the state board of registration for the healing arts through rule and regulation. The board of healing arts is authorized to establish rules pursuant to chapter 536 establishing licensing and renewal procedures, supervision, supervision agreements, fees, and addressing such other matters as are necessary to protect the public and discipline the profession. An application for licensing may be denied or the license of a physician assistant may be suspended or revoked by the board in the same manner and for violation of the standards as set forth by section 334.100, or such other standards of conduct set by the board by rule or regulation. Persons licensed pursuant to the provisions of chapter 335 shall not be required to be licensed as physician assistants. All applicants for physician assistant licensure who complete a physician assistant training program after January 1, 2008, shall have a master's degree from a physician assistant program.

7. "Physician assistant supervision agreement" means a written agreement, jointly agreed-upon protocols or standing order between a supervising physician and a physician assistant, which provides for the delegation of health care services from a supervising physician to a physician assistant and the review of such services. The agreement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, telephone numbers, and state license numbers of the supervising physician and the physician assistant;

(2) A list of all offices or locations where the physician routinely provides patient care, and in which of such offices or locations the supervising physician has authorized the physician assistant to practice;

(3) All specialty or board certifications of the supervising physician;

(4) The manner of supervision between the supervising physician and the physician assistant, including how the supervising physician and the physician assistant shall:

(a) Attest on a form provided by the board that the physician shall provide supervision appropriate to the physician assistant's training and experience and that the physician assistant shall not practice beyond the scope of the physician assistant's training and experience nor the supervising physician's capabilities and training; and

(b) Provide coverage during absence, incapacity, infirmity, or emergency by the supervising physician;

(5) The duration of the supervision agreement between the supervising physician and physician assistant; and

(6) A description of the time and manner of the supervising physician's review of the physician assistant's delivery of health care services. Such description shall include provisions that the supervising physician, or a designated supervising physician listed in the supervision agreement review a minimum of ten percent of the charts of the physician assistant's delivery of health care services every fourteen days.

8. When a physician assistant supervision agreement is utilized to provide health care services for conditions other than acute self-limited or well-defined problems, the supervising physician or other physician designated in the supervision agreement shall see the patient for evaluation and approve or formulate the plan of treatment for new or significantly changed conditions as soon as practical, but in no case more than two weeks after the patient has been seen by the physician assistant.

9. At all times the physician is responsible for the oversight of the activities of, and accepts responsibility for, health care services rendered by the physician assistant.

10. It is the responsibility of the supervising physician to determine and document the completion of at least a one-month period of time during which the licensed physician assistant shall practice with a supervising physician continuously present before practicing in a setting where a supervising physician is not continuously present.

11. No contract or other agreement shall require a physician to act as a supervising physician for a physician assistant against the physician's will. A physician shall have the right to refuse to act as a supervising physician, without penalty, for a particular physician assistant. No contract or other agreement shall limit the supervising physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any physician assistant, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by the hospital's medical staff.

12. Physician assistants shall file with the board a copy of their supervising physician form.

13. No physician shall be designated to serve as supervising physician for more than three full-time equivalent licensed physician assistants. This limitation shall not apply to physician assistant agreements of hospital employees providing inpatient care service in hospitals as defined in chapter 197.”; and

Further amend said bill, Page 13, Section 338.220, Line 54, by inserting after all of said section and line the following:

**“Section 1. 1. As used in this section, the following terms shall mean:**

**(1) “Assistant physician”, a person licensed to practice under section 334.036 in a collaborative practice arrangement under section 334.037;**

**(2) “Department”, the department of health and senior services;**

**(3) “Medically underserved area”:**

**(a) An area in this state with a medically underserved population;**

**(b) An area in this state designated by the United States secretary of health and human services as an area with a shortage of personal health services;**

**(c) A population group designated by the United States secretary of health and human services as having a shortage of personal health services;**

**(d) An area designated under state or federal law as a medically underserved community; or**

**(e) An area that the department considers to be medically underserved based on relevant demographic, geographic, and environmental factors;**

**(4) “Primary care”, physician services in family practice, general practice, internal medicine, pediatrics, obstetrics, or gynecology;**

**(5) “Start-up money”, a payment made by a county or municipality in this state which includes a medically underserved area for reasonable costs incurred for the establishment of a medical clinic, ancillary facilities for diagnosing and treating patients, and payment of physicians, assistant**

physicians, and any support staff.

2. (1) The department shall establish and administer a program under this section to increase the number of medical clinics in medically underserved areas. A county or municipality in this state that includes a medically underserved area may establish a medical clinic in the medically underserved area by contributing start-up money for the medical clinic and having such contribution matched wholly or partly by grant moneys from the medical clinics in medically underserved areas fund established in subsection 3 of this section. The department shall seek all available moneys from any source whatsoever, including, but not limited to, moneys from health care foundations to assist in funding the program.

(2) A participating county or municipality that includes a medically underserved area may provide start-up money for a medical clinic over a two-year period. The department shall not provide more than one hundred thousand dollars to such county or municipality in a fiscal year unless the department makes a specific finding of need in the medically underserved area.

(3) The department shall establish priorities so that the counties or municipalities which include the neediest medically underserved areas eligible for assistance under this section are assured the receipt of a grant.

3. (1) There is hereby created in the state treasury the “Medical Clinics in Medically Underserved Areas Fund”, which shall consist of any state moneys appropriated, gifts, grants, donations, or any other contribution from any source for such purpose. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. To be eligible to receive a matching grant from the department, a county or municipality that includes a medically underserved area shall:

(1) Apply for the matching grant; and

(2) Provide evidence satisfactory to the department that it has entered into an agreement or combination of agreements with a collaborating physician or physicians for the collaborating physician or physicians and assistant physician or assistant physicians in accordance with a collaborative practice arrangement under section 334.037 to provide primary care in the medically underserved area for at least two years.

5. The department shall promulgate rules necessary for the implementation of this section, including rules addressing:

(1) Eligibility criteria for a medically underserved area;

(2) A requirement that a medical clinic utilize an assistant physician in a collaborative practice

arrangement under section 334.037;

(3) Minimum and maximum county or municipality contributions to the start-up money for a medical clinic to be matched with grant moneys from the state;

(4) Conditions under which grant moneys shall be repaid by a county or municipality for failure to comply with the requirements for receipt of such grant moneys;

(5) Procedures for disbursement of grant moneys by the department;

(6) The form and manner in which a county or municipality shall make its contribution to the start-up money; and

(7) Requirements for the county or municipality to retain interest in any property, equipment, or durable goods for seven years including, but not limited to, the criteria for a county or municipality to be excused from such retention requirement.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 754, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

**“191.761. 1. Beginning July 1, 2015, the department of health and senior services shall provide a courier service to transport collected, donated umbilical cord blood samples to a nonprofit umbilical cord blood bank located in a city not within a county in existence as of the effective date of this section. The collection sites shall only be those facilities designated and trained by the blood bank in the collection and handling of umbilical cord blood specimens.**

**2. The department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.**

**197.168. Each year between October first and March first and in accordance with the latest recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention, each hospital licensed under this chapter shall offer, prior to discharge and with the approval of the attending physician or other practitioner authorized to order vaccinations or as authorized by physician-approved hospital policies or protocols for influenza vaccinations pursuant to state hospital regulations, immunizations against influenza virus to all inpatients sixty-five years of age and older unless contraindicated for such patient and contingent upon the availability of the vaccine.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

## HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 754, Page 13, Section 338.220, Line 54, by inserting after all of said section and line the following:

**“376.845. 1. This section shall be known and may be cited as “Katie’s Law”.**

**2. For the purposes of this section the following terms shall mean:**

**(1) “Eating disorder”, anorexia nervosa, bulimia nervosa, binge eating disorder, eating disorders not otherwise specified, and any other severe eating disorder contained in the most recent version of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association;**

**(2) “Health benefit plan”, shall have the same meaning as such term is defined in section 376.1350; however, for purposes of this section “health benefit plan” does not include a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policy of six months or less duration, or any other supplemental policy;**

**(3) “Health carrier”, shall have the same meaning as such term is defined in section 376.1350;**

**(4) “Medical care”, health care services needed to diagnose, prevent, treat, cure, or relieve physical manifestations of an eating disorder, and shall include inpatient hospitalization, partial hospitalization, residential care, intensive outpatient treatment, follow-up outpatient care and counseling;**

**(5) “Nutritional care”, counseling and consultation services provided by a licensed and registered dietitian;**

**(6) “Pharmacy care”, counseling and consultation services provided by a licensed and Registered Dietitian. “Pharmacy care” includes medications used to address symptoms of an eating disorder prescribed by a licensed physician, and any health-related services deemed medically necessary to determine the need or effectiveness of the medications, but only to the extent that such medications are included in the insured’s health benefit plan;**

**(7) “Psychiatric care”, direct or consultative services provided by a psychiatrist licensed in the state in which the psychiatrist practices, and shall include inpatient hospitalization, partial hospitalization, residential care, intensive outpatient treatment, follow-up outpatient care and counseling;**

**(8) “Therapy”, behavioral interventions provided by a therapist licensed in the state in which the therapist practices;**

**(9) “Treatment of eating disorders”, care prescribed or ordered for an individual diagnosed with an eating disorder by a licensed physician, psychologist, psychiatrist, or therapist, pursuant to the powers granted under such licensed physician’s, psychologist’s, psychiatrist’s, or therapist’s license, including, but not limited to:**

**(a) Medical care;**



- (b) Psychological care;**
- (c) Psychiatric care;**
- (d) Nutritional care;**
- (e) Therapy;**
- (f) Pharmacy care.**

**3. In accordance with the provisions of section 376.1550, all health benefit plans that are delivered, issued for delivery, continued or renewed, if written inside the state of Missouri, or written outside the state of Missouri but covering Missouri residents, shall provide coverage for the diagnosis and treatment of eating disorders as required in section 376.1550.**

**4. (1) Coverage provided under this section is limited to medically necessary treatment that is ordered by a licensed treating physician, psychologist, psychiatrist, or therapist, pursuant to the powers granted under such licensed physician's, psychologist's, psychiatrist's, or therapist's license, in accordance with a treatment plan.**

**(2) The treatment plan, upon request by the health benefit plan or health carrier, shall include all elements necessary for the health benefit plan or health carrier to pay claims. Such elements include, but are not limited to, a diagnosis, proposed treatment by type, frequency and duration of treatment, and goals.**

**(3) If the individual is receiving treatment for an eating disorder, a health carrier shall have the right to review the treatment plan not more than once every six months unless the health carrier and the individual's treating physician, psychologist, psychiatrist, or therapist agree that a more frequent review is necessary. Any such agreement regarding the right to review a treatment plan more frequently shall only apply to a particular individual being treated for an eating disorder and shall not apply to all individuals being treated for eating disorders by a provider. The cost of obtaining any review or treatment plan shall be borne by the health benefit plan or health carrier, as applicable.**

**(4) Coverage provided under this section shall not be subject to any limits on the number of days of medically necessary treatment, except as provided in the treatment plan.**

**5. The provisions of sections 376.1350 to 376.1399 shall apply to this section. Medical necessity determinations for treatment of eating disorders shall not solely be based upon a patient's weight or weight level. Medical necessity determinations shall consider the overall medical and psychological needs of the individual with an eating disorder. Coverage shall include integrated modalities of the various types of treatments of eating disorders as defined in this section, when such treatment is deemed medically or psychiatrically necessary by the patient's licensed physician, psychologist, psychiatrist, or therapist in accordance with the Practice Guidelines for the Treatment of Patients with Eating Disorders adopted by the American Psychiatric Association.**

**6. (1) By June 1, 2016, and every June first thereafter until 2021, the department of insurance, financial institutions and professional registration shall submit a report to the general assembly regarding the implementation of the coverage required under this section. The report shall include, but shall not be limited to, the following:**

- (a) The total number of insureds diagnosed with an eating disorder;
  - (b) The total cost of all claims paid out in the immediately preceding calendar year for coverage required by this section;
  - (c) The cost of such coverage per insured per month; and
  - (d) The average cost per insured for coverage of eating disorders;
- (2) All health carriers and health benefit plans subject to the provisions of this section shall provide the department with the data requested by the department for inclusion in the annual report.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 754, Page 5, Section 196.990, Line 90, by inserting after all of said section and line the following:

**“208.662. 1. There is hereby established within the department of social services the “Show-Me Healthy Babies Program” as a separate children’s health insurance program (CHIP) for any low-income unborn child. The program shall be established under the authority of Title XXI of the federal Social Security Act, the State Children’s Health Insurance Program, as amended, and 42 CFR 457.1.**

**2. For an unborn child to be enrolled in the show-me healthy babies program, his or her mother shall not be eligible for coverage under Title XIX of the federal Social Security Act, the Medicaid program, as it is administered by the state, and shall not have access to affordable employer-subsidized health care insurance or other affordable health care coverage that includes coverage for the unborn child. In addition, the unborn child shall be in a family with income eligibility of no more than three hundred percent of the federal poverty level, or the equivalent modified adjusted gross income, unless the income eligibility is set lower by the general assembly through appropriations. In calculating family size as it relates to income eligibility, the family shall include, in addition to other family members, the unborn child, or in the case of a mother with a multiple pregnancy, all unborn children.**

**3. Coverage for an unborn child enrolled in the show-me healthy babies program shall include all prenatal care and pregnancy-related services that benefit the health of the unborn child and that promote healthy labor, delivery, and birth. Coverage need not include services that are solely for the benefit of the pregnant mother, that are unrelated to maintaining or promoting a healthy pregnancy, and that provide no benefit to the unborn child. However, the department may include pregnancy-related assistance as defined in 42 U.S.C. 1397ll.**

**4. There shall be no waiting period before an unborn child may be enrolled in the show-me healthy babies program. In accordance with the definition of child in 42 CFR 457.10, coverage shall include the period from conception to birth. The department shall develop a presumptive eligibility procedure for enrolling an unborn child. There shall be verification of the pregnancy.**

**5. Coverage for the child shall continue for up to one year after birth, unless otherwise prohibited by law or unless otherwise limited by the general assembly through appropriations.**

6. Pregnancy-related and postpartum coverage for the mother shall begin on the day the pregnancy ends and extend through the last day of the month that includes the sixtieth day after the pregnancy ends, unless otherwise prohibited by law or unless otherwise limited by the general assembly through appropriations. The department may include pregnancy-related assistance as defined in 42 U.S.C. 1397ll.

7. The department shall provide coverage for an unborn child enrolled in the show-me healthy babies program in the same manner in which the department provides coverage for the children's health insurance program (CHIP) in the county of the primary residence of the mother.

8. The department shall provide information about the show-me healthy babies program to maternity homes as defined in section 135.600, pregnancy resource centers as defined in section 135.630, and other similar agencies and programs in the state that assist unborn children and their mothers. The department shall consider allowing such agencies and programs to assist in the enrollment of unborn children in the program, and in making determinations about presumptive eligibility and verification of the pregnancy.

9. Within sixty days after the effective date of this section, the department shall submit a state plan amendment or seek any necessary waivers from the federal Department of Health and Human Services requesting approval for the show-me healthy babies program.

10. At least annually, the department shall prepare and submit a report to the governor, the speaker of the house of representatives, and the president pro tempore of the senate analyzing and projecting the cost savings and benefits, if any, to the state, counties, local communities, school districts, law enforcement agencies, correctional centers, health care providers, employers, other public and private entities, and persons by enrolling unborn children in the show-me healthy babies program. The analysis and projection of cost savings and benefits, if any, may include but need not be limited to:

(1) The higher federal matching rate for having an unborn child enrolled in the show-me healthy babies program versus the lower federal matching rate for a pregnant woman being enrolled in MO HealthNet or other federal programs;

(2) The efficacy in providing services to unborn children through managed care organizations, group or individual health insurance providers or premium assistance, or through other nontraditional arrangements of providing health care;

(3) The change in the proportion of unborn children who receive care in the first trimester of pregnancy due to a lack of waiting periods, by allowing presumptive eligibility, or by removal of other barriers, and any resulting or projected decrease in health problems and other problems for unborn children and women throughout pregnancy; at labor, delivery, and birth; and during infancy and childhood;

(4) The change in healthy behaviors by pregnant women, such as the cessation of the use of tobacco, alcohol, illicit drugs, or other harmful practices, and any resulting or projected short-term and long-term decrease in birth defects; poor motor skills; vision, speech, and hearing problems; breathing and respiratory problems; feeding and digestive problems; and other physical, mental, educational, and behavioral problems; and

**(5) The change in infant and maternal mortality, pre-term births and low birth weight babies and any resulting or projected decrease in short-term and long-term medical and other interventions.**

**11. The show-me healthy babies program shall not be deemed an entitlement program, but instead shall be subject to a federal allotment or other federal appropriations and matching state appropriations.**

**12. Nothing in this section shall be construed as obligating the state to continue the show-me healthy babies program if the allotment or payments from the federal government end or are not sufficient for the program to operate, or if the general assembly does not appropriate funds for the program.**

**13. Nothing in this section shall be construed as expanding MO HealthNet or fulfilling a mandate imposed by the federal government on the state.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 754, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

“174.335. 1. Beginning with the 2004-2005 school year and for each school year thereafter, every public institution of higher education in this state shall require all students who reside in on-campus housing to [sign a written waiver stating that the institution of higher education has provided the student, or if the student is a minor, the student’s parents or guardian, with detailed written information on the risks associated with meningococcal disease and the availability and effectiveness of] **have received the meningococcal vaccine unless a signed statement of medical or religious exemption is on file with the institution’s administration. A student shall be exempted from the immunization requirement of this section upon signed certification by a physician licensed under chapter 334, indicating that either the immunization would seriously endanger the student’s health or life or the student has documentation of the disease or laboratory evidence of immunity to the disease. A student shall be exempted from the immunization requirement of this section if he or she objects in writing to the institution’s administration that immunization violates his or her religious beliefs.**

2. [Any student who elects to receive the meningococcal vaccine shall not be required to sign a waiver referenced in subsection 1 of this section and shall present a record of said vaccination to the institution of higher education.

3.] Each public university or college in this state shall maintain records on the meningococcal vaccination status of every student residing in on-campus housing at the university or college[, including any written waivers executed pursuant to subsection 1 of this section].

[4.] **3.** Nothing in this section shall be construed as requiring any institution of higher education to provide or pay for vaccinations against meningococcal disease.

**191.761. 1. Beginning July 1, 2015, the department of health and senior services shall provide a courier service to transport collected, donated umbilical cord blood samples to a nonprofit umbilical cord blood bank located in a city not within a county in existence as of the effective date of this section. The collection sites shall only be those facilities designated and trained by the blood bank in**

**the collection and handling of umbilical cord blood specimens.**

**2. The department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.”; and**

Further amend said bill, Page 5, Section 196.990, Line 90, by inserting after all of said section and line the following:

**“197.168. Each year between October first and March first and in accordance with the latest recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention, each hospital licensed under this chapter shall offer, prior to discharge and with the approval of the attending physician or other practitioner authorized to order vaccinations or as authorized by physician-approved hospital policies or protocols for influenza vaccinations pursuant to state hospital regulations, immunizations against influenza virus to all inpatients sixty-five years of age and older unless contraindicated for such patient and contingent upon the availability of the vaccine.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 754, Page 1, Section A, Line 4, by inserting after all of said line the following:

**“105.711. 1. There is hereby created a “State Legal Expense Fund” which shall consist of moneys appropriated to the fund by the general assembly and moneys otherwise credited to such fund pursuant to section 105.716.**

**2. Moneys in the state legal expense fund shall be available for the payment of any claim or any amount required by any final judgment rendered by a court of competent jurisdiction against:**

**(1) The state of Missouri, or any agency of the state, pursuant to section 536.050 or 536.087 or section 537.600;**

**(2) Any officer or employee of the state of Missouri or any agency of the state, including, without limitation, elected officials, appointees, members of state boards or commissions, and members of the Missouri National Guard upon conduct of such officer or employee arising out of and performed in connection with his or her official duties on behalf of the state, or any agency of the state, provided that moneys in this fund shall not be available for payment of claims made under chapter 287;**

**(3) (a) Any physician, psychiatrist, pharmacist, podiatrist, dentist, nurse, or other health care provider licensed to practice in Missouri under the provisions of chapter 330, 332, 334, 335, 336, 337 or 338 who is employed by the state of Missouri or any agency of the state under formal contract to conduct disability reviews on behalf of the department of elementary and secondary education or provide services to patients**

or inmates of state correctional facilities on a part-time basis, and any physician, psychiatrist, pharmacist, podiatrist, dentist, nurse, or other health care provider licensed to practice in Missouri under the provisions of chapter 330, 332, 334, 335, 336, 337, or 338 who is under formal contract to provide services to patients or inmates at a county jail on a part-time basis;

(b) Any physician licensed to practice medicine in Missouri under the provisions of chapter 334 and his professional corporation organized pursuant to chapter 356 who is employed by or under contract with a city or county health department organized under chapter 192 or chapter 205, or a city health department operating under a city charter, or a combined city-county health department to provide services to patients for medical care caused by pregnancy, delivery, and child care, if such medical services are provided by the physician pursuant to the contract without compensation or the physician is paid from no other source than a governmental agency except for patient co-payments required by federal or state law or local ordinance;

(c) Any physician licensed to practice medicine in Missouri under the provisions of chapter 334 who is employed by or under contract with a federally funded community health center organized under Section 315, 329, 330 or 340 of the Public Health Services Act (42 U.S.C. 216, 254c) to provide services to patients for medical care caused by pregnancy, delivery, and child care, if such medical services are provided by the physician pursuant to the contract or employment agreement without compensation or the physician is paid from no other source than a governmental agency or such a federally funded community health center except for patient co-payments required by federal or state law or local ordinance. In the case of any claim or judgment that arises under this paragraph, the aggregate of payments from the state legal expense fund shall be limited to a maximum of one million dollars for all claims arising out of and judgments based upon the same act or acts alleged in a single cause against any such physician, and shall not exceed one million dollars for any one claimant;

(d) Any physician licensed pursuant to chapter 334 who is affiliated with and receives no compensation from a nonprofit entity qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, which offers a free health screening in any setting or any physician, nurse, physician assistant, dental hygienist, dentist, or other health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338 who provides health care services within the scope of his or her license or registration at a city or county health department organized under chapter 192 or chapter 205, a city health department operating under a city charter, or a combined city-county health department, or a nonprofit community health center qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, **excluding federally funded community health centers as specified in paragraph (c) of this subdivision and rural health clinics under 42 U.S.C. 1396d(l)(1)**, if such services are restricted to primary care and preventive health services, provided that such services shall not include the performance of an abortion, and if such health services are provided by the health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338 without compensation. MO HealthNet or Medicare payments for primary care and preventive health services provided by a health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338 who volunteers at a [free] **community** health clinic is not compensation for the purpose of this section if the total payment is assigned to the [free] **community** health clinic. For the purposes of the section, “[free] **community** health clinic” means a nonprofit community health center qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1987, as amended, that provides primary care and preventive health services to people without health insurance coverage [for the services provided without charge]. In the case of any claim or judgment that arises under this paragraph,

the aggregate of payments from the state legal expense fund shall be limited to a maximum of five hundred thousand dollars, for all claims arising out of and judgments based upon the same act or acts alleged in a single cause and shall not exceed five hundred thousand dollars for any one claimant, and insurance policies purchased pursuant to the provisions of section 105.721 shall be limited to five hundred thousand dollars. Liability or malpractice insurance obtained and maintained in force by or on behalf of any health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338 shall not be considered available to pay that portion of a judgment or claim for which the state legal expense fund is liable under this paragraph;

(e) Any physician, nurse, physician assistant, dental hygienist, or dentist licensed or registered to practice medicine, nursing, or dentistry or to act as a physician assistant or dental hygienist in Missouri under the provisions of chapter 332, 334, or 335, or lawfully practicing, who provides medical, nursing, or dental treatment within the scope of his license or registration to students of a school whether a public, private, or parochial elementary or secondary school or summer camp, if such physician's treatment is restricted to primary care and preventive health services and if such medical, dental, or nursing services are provided by the physician, dentist, physician assistant, dental hygienist, or nurse without compensation. In the case of any claim or judgment that arises under this paragraph, the aggregate of payments from the state legal expense fund shall be limited to a maximum of five hundred thousand dollars, for all claims arising out of and judgments based upon the same act or acts alleged in a single cause and shall not exceed five hundred thousand dollars for any one claimant, and insurance policies purchased pursuant to the provisions of section 105.721 shall be limited to five hundred thousand dollars; or

(f) Any physician licensed under chapter 334, or dentist licensed under chapter 332, providing medical care without compensation to an individual referred to his or her care by a city or county health department organized under chapter 192 or 205, a city health department operating under a city charter, or a combined city-county health department, or nonprofit health center qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or a federally funded community health center organized under Section 315, 329, 330, or 340 of the Public Health Services Act, 42 U.S.C. Section 216, 254c; provided that such treatment shall not include the performance of an abortion. In the case of any claim or judgment that arises under this paragraph, the aggregate of payments from the state legal expense fund shall be limited to a maximum of one million dollars for all claims arising out of and judgments based upon the same act or acts alleged in a single cause and shall not exceed one million dollars for any one claimant, and insurance policies purchased under the provisions of section 105.721 shall be limited to one million dollars. Liability or malpractice insurance obtained and maintained in force by or on behalf of any physician licensed under chapter 334, or any dentist licensed under chapter 332, shall not be considered available to pay that portion of a judgment or claim for which the state legal expense fund is liable under this paragraph;

(4) Staff employed by the juvenile division of any judicial circuit;

(5) Any attorney licensed to practice law in the state of Missouri who practices law at or through a nonprofit community social services center qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or through any agency of any federal, state, or local government, if such legal practice is provided by the attorney without compensation. In the case of any claim or judgment that arises under this subdivision, the aggregate of payments from the state legal expense fund shall be limited to a maximum of five hundred thousand dollars for all claims arising out of

and judgments based upon the same act or acts alleged in a single cause and shall not exceed five hundred thousand dollars for any one claimant, and insurance policies purchased pursuant to the provisions of section 105.721 shall be limited to five hundred thousand dollars;

(6) Any social welfare board created under section 205.770 and the members and officers thereof upon conduct of such officer or employee while acting in his or her capacity as a board member or officer, and any physician, nurse, physician assistant, dental hygienist, dentist, or other health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338 who is referred to provide medical care without compensation by the board and who provides health care services within the scope of his or her license or registration as prescribed by the board; or

(7) Any person who is selected or appointed by the state director of revenue under subsection 2 of section 136.055 to act as an agent of the department of revenue, to the extent that such agent's actions or inactions upon which such claim or judgment is based were performed in the course of the person's official duties as an agent of the department of revenue and in the manner required by state law or department of revenue rules.

3. The department of health and senior services shall promulgate rules regarding contract procedures and the documentation of care provided under paragraphs (b), (c), (d), (e), and (f) of subdivision (3) of subsection 2 of this section. The limitation on payments from the state legal expense fund or any policy of insurance procured pursuant to the provisions of section 105.721, provided in subsection 7 of this section, shall not apply to any claim or judgment arising under paragraph (a), (b), (c), (d), (e), or (f) of subdivision (3) of subsection 2 of this section. Any claim or judgment arising under paragraph (a), (b), (c), (d), (e), or (f) of subdivision (3) of subsection 2 of this section shall be paid by the state legal expense fund or any policy of insurance procured pursuant to section 105.721, to the extent damages are allowed under sections 538.205 to 538.235. Liability or malpractice insurance obtained and maintained in force by any health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338 for coverage concerning his or her private practice and assets shall not be considered available under subsection 7 of this section to pay that portion of a judgment or claim for which the state legal expense fund is liable under paragraph (a), (b), (c), (d), (e), or (f) of subdivision (3) of subsection 2 of this section. However, a health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338 may purchase liability or malpractice insurance for coverage of liability claims or judgments based upon care rendered under paragraphs (c), (d), (e), and (f) of subdivision (3) of subsection 2 of this section which exceed the amount of liability coverage provided by the state legal expense fund under those paragraphs. Even if paragraph (a), (b), (c), (d), (e), or (f) of subdivision (3) of subsection 2 of this section is repealed or modified, the state legal expense fund shall be available for damages which occur while the pertinent paragraph (a), (b), (c), (d), (e), or (f) of subdivision (3) of subsection 2 of this section is in effect.

4. The attorney general shall promulgate rules regarding contract procedures and the documentation of legal practice provided under subdivision (5) of subsection 2 of this section. The limitation on payments from the state legal expense fund or any policy of insurance procured pursuant to section 105.721 as provided in subsection 7 of this section shall not apply to any claim or judgment arising under subdivision (5) of subsection 2 of this section. Any claim or judgment arising under subdivision (5) of subsection 2 of this section shall be paid by the state legal expense fund or any policy of insurance procured pursuant to section 105.721 to the extent damages are allowed under sections 538.205 to 538.235. Liability or malpractice insurance otherwise obtained and maintained in force shall not be considered available under



subsection 7 of this section to pay that portion of a judgment or claim for which the state legal expense fund is liable under subdivision (5) of subsection 2 of this section. However, an attorney may obtain liability or malpractice insurance for coverage of liability claims or judgments based upon legal practice rendered under subdivision (5) of subsection 2 of this section that exceed the amount of liability coverage provided by the state legal expense fund under subdivision (5) of subsection 2 of this section. Even if subdivision (5) of subsection 2 of this section is repealed or amended, the state legal expense fund shall be available for damages that occur while the pertinent subdivision (5) of subsection 2 of this section is in effect.

5. All payments shall be made from the state legal expense fund by the commissioner of administration with the approval of the attorney general. Payment from the state legal expense fund of a claim or final judgment award against a health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338, described in paragraph (a), (b), (c), (d), (e), or (f) of subdivision (3) of subsection 2 of this section, or against an attorney in subdivision (5) of subsection 2 of this section, shall only be made for services rendered in accordance with the conditions of such paragraphs. In the case of any claim or judgment against an officer or employee of the state or any agency of the state based upon conduct of such officer or employee arising out of and performed in connection with his or her official duties on behalf of the state or any agency of the state that would give rise to a cause of action under section 537.600, the state legal expense fund shall be liable, excluding punitive damages, for:

- (1) Economic damages to any one claimant; and
- (2) Up to three hundred fifty thousand dollars for noneconomic damages.

The state legal expense fund shall be the exclusive remedy and shall preclude any other civil actions or proceedings for money damages arising out of or relating to the same subject matter against the state officer or employee, or the officer's or employee's estate. No officer or employee of the state or any agency of the state shall be individually liable in his or her personal capacity for conduct of such officer or employee arising out of and performed in connection with his or her official duties on behalf of the state or any agency of the state. The provisions of this subsection shall not apply to any defendant who is not an officer or employee of the state or any agency of the state in any proceeding against an officer or employee of the state or any agency of the state. Nothing in this subsection shall limit the rights and remedies otherwise available to a claimant under state law or common law in proceedings where one or more defendants is not an officer or employee of the state or any agency of the state.

6. The limitation on awards for noneconomic damages provided for in this subsection shall be increased or decreased on an annual basis effective January first of each year in accordance with the Implicit Price Deflator for Personal Consumption Expenditures as published by the Bureau of Economic Analysis of the United States Department of Commerce. The current value of the limitation shall be calculated by the director of the department of insurance, financial institutions and professional registration, who shall furnish that value to the secretary of state, who shall publish such value in the Missouri Register as soon after each January first as practicable, but it shall otherwise be exempt from the provisions of section 536.021.

7. Except as provided in subsection 3 of this section, in the case of any claim or judgment that arises under sections 537.600 and 537.610 against the state of Missouri, or an agency of the state, the aggregate of payments from the state legal expense fund and from any policy of insurance procured pursuant to the provisions of section 105.721 shall not exceed the limits of liability as provided in sections 537.600 to 537.610. No payment shall be made from the state legal expense fund or any policy of insurance procured

with state funds pursuant to section 105.721 unless and until the benefits provided to pay the claim by any other policy of liability insurance have been exhausted.

8. The provisions of section 33.080 notwithstanding, any moneys remaining to the credit of the state legal expense fund at the end of an appropriation period shall not be transferred to general revenue.

9. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated under the authority delegated in sections 105.711 to 105.726 shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.”; and

Further amend said bill, Page 2, Section 191.1140, Line 14, by inserting after all of said line the following:

**“192.769. 1. On completion of a mammogram, a mammography facility certified by the United States Food and Drug Administration (FDA) or by a certification agency approved by the FDA shall provide to the patient the following notice:**

**“If your mammogram demonstrates that you have dense breast tissue, which could hide abnormalities, and you have other risk factors for breast cancer that have been identified, you might benefit from supplemental screening tests that may be suggested by your ordering physician. Dense breast tissue, in and of itself, is a relatively common condition. Therefore, this information is not provided to cause undue concern, but rather to raise your awareness and to promote discussion with your physician regarding the presence of other risk factors, in addition to dense breast tissue. A report of your mammography results will be sent to you and your physician. You should contact your physician if you have any questions or concerns regarding this report.”**

**2. Nothing in this section shall be construed to create a duty of care beyond the duty to provide notice as set forth in this section.**

**3. The information required by this section or evidence that a person violated this section is not admissible in a civil, judicial, or administrative proceeding.**

**4. A mammography facility is not required to comply with the requirements of this section until January 1, 2015.”; and**

Further amend said bill, Page 5, Section 196.990, Line 90, by inserting after all of said line the following:

**“208.141. 1. The department of social services shall reimburse a hospital for prescribed medically necessary donor human breast milk provided to a MO HealthNet participant if:**

- (1) The participant is an infant under the age of three months;**
- (2) The participant is critically ill;**
- (3) The participant is in the neonatal intensive care unit of the hospital;**

- (4) A physician orders the milk for the participant;**
- (5) The department determines that the milk is medically necessary for the participant;**
- (6) The parent or guardian signs and dates an informed consent form indicating the risks and benefits of using banked donor human milk; and**
- (7) The milk is obtained from a donor human milk bank that meets the quality guidelines established by the department.**

**2. An electronic web-based prior authorization system using the best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need.**

**3. The department shall promulgate rules for the implementation of this section, including setting forth rules for the required documentation by the physician and the informed consent to be provided to and signed by the parent or guardian of the participant. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable, and if any of the powers vested with the general assembly under chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SB 508**, entitled:

An Act to repeal sections 43.530, 208.631, 208.636, 208.640, 208.643, 208.646, and 376.2004, RSMo, and to enact in lieu thereof eight new sections relating to health insurance, with a penalty provision.

With House Amendment Nos. 1 and 2.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 508, Page 6, Section 376.2004, Lines 37 through 42, by deleting all of said lines and inserting in lieu thereof the following:

**“6. Each applicant for licensure shall submit two full sets of fingerprints to the state highway patrol for the purpose of obtaining a state and federal criminal records check under section 43.540 and Public Law 92-554. The department shall not issue a license if such person has been convicted of a felony offense or a misdemeanor offense involving fraud or dishonesty.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 508, Page 2, Section 43.530, Line 23, by inserting after all of said line the following:

“105.711. 1. There is hereby created a “State Legal Expense Fund” which shall consist of moneys appropriated to the fund by the general assembly and moneys otherwise credited to such fund pursuant to section 105.716.

2. Moneys in the state legal expense fund shall be available for the payment of any claim or any amount required by any final judgment rendered by a court of competent jurisdiction against:

(1) The state of Missouri, or any agency of the state, pursuant to section 536.050 or 536.087 or section 537.600;

(2) Any officer or employee of the state of Missouri or any agency of the state, including, without limitation, elected officials, appointees, members of state boards or commissions, and members of the Missouri National Guard upon conduct of such officer or employee arising out of and performed in connection with his or her official duties on behalf of the state, or any agency of the state, provided that moneys in this fund shall not be available for payment of claims made under chapter 287;

(3) (a) Any physician, psychiatrist, pharmacist, podiatrist, dentist, nurse, or other health care provider licensed to practice in Missouri under the provisions of chapter 330, 332, 334, 335, 336, 337 or 338 who is employed by the state of Missouri or any agency of the state under formal contract to conduct disability reviews on behalf of the department of elementary and secondary education or provide services to patients or inmates of state correctional facilities on a part-time basis, and any physician, psychiatrist, pharmacist, podiatrist, dentist, nurse, or other health care provider licensed to practice in Missouri under the provisions of chapter 330, 332, 334, 335, 336, 337, or 338 who is under formal contract to provide services to patients or inmates at a county jail on a part-time basis;

(b) Any physician licensed to practice medicine in Missouri under the provisions of chapter 334 and his professional corporation organized pursuant to chapter 356 who is employed by or under contract with a city or county health department organized under chapter 192 or chapter 205, or a city health department operating under a city charter, or a combined city-county health department to provide services to patients for medical care caused by pregnancy, delivery, and child care, if such medical services are provided by the physician pursuant to the contract without compensation or the physician is paid from no other source than a governmental agency except for patient co-payments required by federal or state law or local ordinance;

(c) Any physician licensed to practice medicine in Missouri under the provisions of chapter 334 who is employed by or under contract with a federally funded community health center organized under Section 315, 329, 330 or 340 of the Public Health Services Act (42 U.S.C. 216, 254c) to provide services to patients for medical care caused by pregnancy, delivery, and child care, if such medical services are provided by the physician pursuant to the contract or employment agreement without compensation or the physician is paid from no other source than a governmental agency or such a federally funded community health center except for patient co-payments required by federal or state law or local ordinance. In the case of any claim or judgment that arises under this paragraph, the aggregate of payments from the state legal expense fund shall be limited to a maximum of one million dollars for all claims arising out of and judgments based upon the same act or acts alleged in a single cause against any such physician, and shall not exceed one million dollars for any one claimant;

(d) Any physician licensed pursuant to chapter 334 who is affiliated with and receives no compensation from a nonprofit entity qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, which offers a free health screening in any setting or any physician,

nurse, physician assistant, dental hygienist, dentist, or other health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338 who provides health care services within the scope of his or her license or registration at a city or county health department organized under chapter 192 or chapter 205, a city health department operating under a city charter, or a combined city-county health department, or a nonprofit community health center qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, **excluding federally funded community health centers as specified in paragraph (c) of this subdivision and rural health clinics under 42 U.S.C. 1396d(l)(1)**, if such services are restricted to primary care and preventive health services, provided that such services shall not include the performance of an abortion, and if such health services are provided by the health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338 without compensation. MO HealthNet or Medicare payments for primary care and preventive health services provided by a health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338 who volunteers at a [free] **community** health clinic is not compensation for the purpose of this section if the total payment is assigned to the [free] **community** health clinic. For the purposes of the section, “[free] **community** health clinic” means a nonprofit community health center qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1987, as amended, that provides primary care and preventive health services to people without health insurance coverage [for the services provided without charge]. In the case of any claim or judgment that arises under this paragraph, the aggregate of payments from the state legal expense fund shall be limited to a maximum of five hundred thousand dollars, for all claims arising out of and judgments based upon the same act or acts alleged in a single cause and shall not exceed five hundred thousand dollars for any one claimant, and insurance policies purchased pursuant to the provisions of section 105.721 shall be limited to five hundred thousand dollars. Liability or malpractice insurance obtained and maintained in force by or on behalf of any health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338 shall not be considered available to pay that portion of a judgment or claim for which the state legal expense fund is liable under this paragraph;

(e) Any physician, nurse, physician assistant, dental hygienist, or dentist licensed or registered to practice medicine, nursing, or dentistry or to act as a physician assistant or dental hygienist in Missouri under the provisions of chapter 332, 334, or 335, or lawfully practicing, who provides medical, nursing, or dental treatment within the scope of his license or registration to students of a school whether a public, private, or parochial elementary or secondary school or summer camp, if such physician’s treatment is restricted to primary care and preventive health services and if such medical, dental, or nursing services are provided by the physician, dentist, physician assistant, dental hygienist, or nurse without compensation. In the case of any claim or judgment that arises under this paragraph, the aggregate of payments from the state legal expense fund shall be limited to a maximum of five hundred thousand dollars, for all claims arising out of and judgments based upon the same act or acts alleged in a single cause and shall not exceed five hundred thousand dollars for any one claimant, and insurance policies purchased pursuant to the provisions of section 105.721 shall be limited to five hundred thousand dollars; or

(f) Any physician licensed under chapter 334, or dentist licensed under chapter 332, providing medical care without compensation to an individual referred to his or her care by a city or county health department organized under chapter 192 or 205, a city health department operating under a city charter, or a combined city-county health department, or nonprofit health center qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or a federally funded community

health center organized under Section 315, 329, 330, or 340 of the Public Health Services Act, 42 U.S.C. Section 216, 254c; provided that such treatment shall not include the performance of an abortion. In the case of any claim or judgment that arises under this paragraph, the aggregate of payments from the state legal expense fund shall be limited to a maximum of one million dollars for all claims arising out of and judgments based upon the same act or acts alleged in a single cause and shall not exceed one million dollars for any one claimant, and insurance policies purchased under the provisions of section 105.721 shall be limited to one million dollars. Liability or malpractice insurance obtained and maintained in force by or on behalf of any physician licensed under chapter 334, or any dentist licensed under chapter 332, shall not be considered available to pay that portion of a judgment or claim for which the state legal expense fund is liable under this paragraph;

(4) Staff employed by the juvenile division of any judicial circuit;

(5) Any attorney licensed to practice law in the state of Missouri who practices law at or through a nonprofit community social services center qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or through any agency of any federal, state, or local government, if such legal practice is provided by the attorney without compensation. In the case of any claim or judgment that arises under this subdivision, the aggregate of payments from the state legal expense fund shall be limited to a maximum of five hundred thousand dollars for all claims arising out of and judgments based upon the same act or acts alleged in a single cause and shall not exceed five hundred thousand dollars for any one claimant, and insurance policies purchased pursuant to the provisions of section 105.721 shall be limited to five hundred thousand dollars;

(6) Any social welfare board created under section 205.770 and the members and officers thereof upon conduct of such officer or employee while acting in his or her capacity as a board member or officer, and any physician, nurse, physician assistant, dental hygienist, dentist, or other health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338 who is referred to provide medical care without compensation by the board and who provides health care services within the scope of his or her license or registration as prescribed by the board; or

(7) Any person who is selected or appointed by the state director of revenue under subsection 2 of section 136.055 to act as an agent of the department of revenue, to the extent that such agent's actions or inactions upon which such claim or judgment is based were performed in the course of the person's official duties as an agent of the department of revenue and in the manner required by state law or department of revenue rules.

3. The department of health and senior services shall promulgate rules regarding contract procedures and the documentation of care provided under paragraphs (b), (c), (d), (e), and (f) of subdivision (3) of subsection 2 of this section. The limitation on payments from the state legal expense fund or any policy of insurance procured pursuant to the provisions of section 105.721, provided in subsection 7 of this section, shall not apply to any claim or judgment arising under paragraph (a), (b), (c), (d), (e), or (f) of subdivision (3) of subsection 2 of this section. Any claim or judgment arising under paragraph (a), (b), (c), (d), (e), or (f) of subdivision (3) of subsection 2 of this section shall be paid by the state legal expense fund or any policy of insurance procured pursuant to section 105.721, to the extent damages are allowed under sections 538.205 to 538.235. Liability or malpractice insurance obtained and maintained in force by any health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338 for coverage concerning his or her private practice and assets shall not be considered available under subsection 7 of this

section to pay that portion of a judgment or claim for which the state legal expense fund is liable under paragraph (a), (b), (c), (d), (e), or (f) of subdivision (3) of subsection 2 of this section. However, a health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338 may purchase liability or malpractice insurance for coverage of liability claims or judgments based upon care rendered under paragraphs (c), (d), (e), and (f) of subdivision (3) of subsection 2 of this section which exceed the amount of liability coverage provided by the state legal expense fund under those paragraphs. Even if paragraph (a), (b), (c), (d), (e), or (f) of subdivision (3) of subsection 2 of this section is repealed or modified, the state legal expense fund shall be available for damages which occur while the pertinent paragraph (a), (b), (c), (d), (e), or (f) of subdivision (3) of subsection 2 of this section is in effect.

4. The attorney general shall promulgate rules regarding contract procedures and the documentation of legal practice provided under subdivision (5) of subsection 2 of this section. The limitation on payments from the state legal expense fund or any policy of insurance procured pursuant to section 105.721 as provided in subsection 7 of this section shall not apply to any claim or judgment arising under subdivision (5) of subsection 2 of this section. Any claim or judgment arising under subdivision (5) of subsection 2 of this section shall be paid by the state legal expense fund or any policy of insurance procured pursuant to section 105.721 to the extent damages are allowed under sections 538.205 to 538.235. Liability or malpractice insurance otherwise obtained and maintained in force shall not be considered available under subsection 7 of this section to pay that portion of a judgment or claim for which the state legal expense fund is liable under subdivision (5) of subsection 2 of this section. However, an attorney may obtain liability or malpractice insurance for coverage of liability claims or judgments based upon legal practice rendered under subdivision (5) of subsection 2 of this section that exceed the amount of liability coverage provided by the state legal expense fund under subdivision (5) of subsection 2 of this section. Even if subdivision (5) of subsection 2 of this section is repealed or amended, the state legal expense fund shall be available for damages that occur while the pertinent subdivision (5) of subsection 2 of this section is in effect.

5. All payments shall be made from the state legal expense fund by the commissioner of administration with the approval of the attorney general. Payment from the state legal expense fund of a claim or final judgment award against a health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338, described in paragraph (a), (b), (c), (d), (e), or (f) of subdivision (3) of subsection 2 of this section, or against an attorney in subdivision (5) of subsection 2 of this section, shall only be made for services rendered in accordance with the conditions of such paragraphs. In the case of any claim or judgment against an officer or employee of the state or any agency of the state based upon conduct of such officer or employee arising out of and performed in connection with his or her official duties on behalf of the state or any agency of the state that would give rise to a cause of action under section 537.600, the state legal expense fund shall be liable, excluding punitive damages, for:

- (1) Economic damages to any one claimant; and
- (2) Up to three hundred fifty thousand dollars for noneconomic damages.

The state legal expense fund shall be the exclusive remedy and shall preclude any other civil actions or proceedings for money damages arising out of or relating to the same subject matter against the state officer or employee, or the officer's or employee's estate. No officer or employee of the state or any agency of the state shall be individually liable in his or her personal capacity for conduct of such officer or employee arising out of and performed in connection with his or her official duties on behalf of the state or any agency of the state. The provisions of this subsection shall not apply to any defendant who is not an officer or

employee of the state or any agency of the state in any proceeding against an officer or employee of the state or any agency of the state. Nothing in this subsection shall limit the rights and remedies otherwise available to a claimant under state law or common law in proceedings where one or more defendants is not an officer or employee of the state or any agency of the state.

6. The limitation on awards for noneconomic damages provided for in this subsection shall be increased or decreased on an annual basis effective January first of each year in accordance with the Implicit Price Deflator for Personal Consumption Expenditures as published by the Bureau of Economic Analysis of the United States Department of Commerce. The current value of the limitation shall be calculated by the director of the department of insurance, financial institutions and professional registration, who shall furnish that value to the secretary of state, who shall publish such value in the Missouri Register as soon after each January first as practicable, but it shall otherwise be exempt from the provisions of section 536.021.

7. Except as provided in subsection 3 of this section, in the case of any claim or judgment that arises under sections 537.600 and 537.610 against the state of Missouri, or an agency of the state, the aggregate of payments from the state legal expense fund and from any policy of insurance procured pursuant to the provisions of section 105.721 shall not exceed the limits of liability as provided in sections 537.600 to 537.610. No payment shall be made from the state legal expense fund or any policy of insurance procured with state funds pursuant to section 105.721 unless and until the benefits provided to pay the claim by any other policy of liability insurance have been exhausted.

8. The provisions of section 33.080 notwithstanding, any moneys remaining to the credit of the state legal expense fund at the end of an appropriation period shall not be transferred to general revenue.

9. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated under the authority delegated in sections 105.711 to 105.726 shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

### **PRIVILEGED MOTIONS**

Senator Pearce moved that the Senate refuse to recede from its position on **SCS** for **HB 1468** and request the House to take up and pass **SCS** for **HB 1468**, which motion prevailed.

Senator Lager assumed the Chair.

### **HOUSE BILLS ON THIRD READING**

**HB 1574**, introduced by Representative Hoskins, entitled:

An Act to repeal section 29.235, RSMo, and to enact in lieu thereof one new section relating to authority of the state auditor.



Was taken up by Senator Dixon.

At the request of Senator Dixon, **HB 1574** was placed on the Informal Calendar.

At the request of Senator Wallingford, **HCS** for **HB 1078**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Schaefer, **HCS** for **HBs 1665** and **1335**, with **SCS**, was placed on the Informal Calendar.

**HCS** for **HB 1374**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Romine, **HCS** for **HB 1225**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Schmitt, **HCS** for **HB 1304**, with **SCS**, was placed on the Informal Calendar.

**HB 2077**, introduced by Representative Stream, entitled:

An Act to amend chapter 21, RSMo, by adding thereto one new section relating to the surplus revenue fund.

Was taken up by Senator Schaefer.

On motion of Senator Schaefer, **HB 2077** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Keaveny
Kehoe	Kraus	Lager	LeVota	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Lamping—1

Absent—Senator Justus—1

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### PRIVILEGED MOTIONS

Senator Romine moved that the Senate refuse to concur in **HA 1**, **HA 2**, **HA 3**, as amended and **HA 4** to **SCS** for **SB 729** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Schmitt moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 852**, as amended and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Sater moved that the Senate refuse to concur in **HCS** for **SS No. 2** for **SB 754**, as amended and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

### **HOUSE BILLS ON THIRD READING**

**HCS** for **HB 1689**, with **SCS**, entitled:

An Act to repeal sections 160.053, 160.054, 160.055, and 161.216, RSMo, and to enact in lieu thereof six new sections relating to elementary and secondary education.

Was called from the Informal Calendar taken up by Senator Pearce.

**SCS** for **HCS** for **HB 1689**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1689**

An Act to repeal sections 160.053, 160.054, 160.055, 163.011, and 163.031, RSMo, and to enact in lieu thereof six new sections relating to elementary and secondary education, with an effective date.

Was taken up.

Senator Pearce moved that **SCS** for **HCS** for **HB 1689** be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS** for **HCS** for **HB 1689** was read the 3rd time and passed by the following vote:

#### **YEAS—Senators**

Chappelle-Nadal	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny	Kehoe
Lager	LeVota	Libla	Munzlinger	Nasheed	Parson	Pearce	Richard
Romine	Sater	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—25

#### **NAYS—Senators**

Brown	Emery	Kraus	Lamping	Nieves	Schaaf—6
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Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 1326**, with **SCS**, entitled:

An Act to amend chapter 261, RSMo, by adding thereto four new sections relating to the Missouri dairy industry revitalization act.

Was called from the Informal Calendar and taken up by Senator Kehoe.

**SCS** for **HCS** for **HB 1326**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1326

An Act to repeal sections 144.010, 262.900, 265.300, 267.565, 275.352, 277.020, 277.040, 281.065, 340.381, 340.396, and 537.325, RSMo, and to enact in lieu thereof fourteen new sections relating to agriculture.

Was taken up.

Senator Kehoe moved that **SCS** for **HCS** for **HB 1326** be adopted.

Senator Kehoe offered **SS** for **SCS** for **HCS** for **HB 1326**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1326

An Act to repeal sections 144.010, 262.900, 265.300, 267.565, 275.352, 277.020, 277.040, 281.065, 304.180, 340.381, 340.396, 442.571, and 537.325, RSMo, and to enact in lieu thereof seventeen new sections relating to agriculture, with an emergency clause for a certain section.

Senator Kehoe moved that **SS** for **SCS** for **HCS** for **HB 1326** be adopted.

Senator Schaaf assumed the Chair.

Senator Keaveny offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1326, Pages 1-8, Section 144.010, by striking all of said section from the bill; and

Further amend said bill, page 13, section 262.900, lines 9-10 of said page, by striking the words “and captive cervids”; and

Further amend said bill, pages 21-23, section 265.300, by striking all of said section from the bill; and

Further amend said bill, pages 23-26, section 267.565, by striking all of said section from the bill; and

Further amend said bill, pages 26-27, section 277.020, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Kehoe moved that **SS** for **SCS** for **HCS** for **HB 1326** be adopted, which motion prevailed.

On motion of Senator Kehoe, **SS** for **SCS** for **HCS** for **HB 1326** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Sifton	Silvey	Wallingford	Wasson—28				

NAYS—Senators

Justus	Schmitt	Walsh—3
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Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Curls	Dempsey	Dixon	Emery	Holsman	Keaveny	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Sifton
Silvey	Wallingford	Wasson—27					

NAYS—Senators

Chappelle-Nadal	Justus	Schmitt	Walsh—4
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Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report No. 2 on **SS** for **SCS** for **HB 1490**, as amended, and has taken up and passed **CCS No. 2** for **SS** for **SCS** for **HB 1490**.

Emergency clause defeated.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt the Conference Committee Report for **SS** for **HCS** for **HB 1685**, and request the Senate grant the House further conference on **SS** for **HCS** for **HB 1685**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HB 1504** and has taken up and passed **CCS** for **SS** for **SCS** for **HB 1504**.

### **PRIVILEGED MOTIONS**

Senator Wasson moved that the Senate refuse to concur in **HCS** for **SS** for **SB 860**, as amended and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Pearce, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 492**, as amended moved that the following conference committee report be taken up, which motion prevailed.

### **CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 492**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 492, with House Amendment Nos. 1, 2, 3, and 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 492, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 492;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 492 be Third Read and Finally Passed.

**FOR THE SENATE:**

/s/ David Pearce

/s/ Dan Brown

/s/ Gary Romine

**FOR THE HOUSE:**

/s/ Mike Thomson

/s/ Kathryn Swan

/s/ Tommie Pierson

/s/ Joseph P. Keaveny

/s/ Scott Sifton

Senator Pearce moved that the above conference committee report be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senator Sater—1

Absent with leave—Senator Cunningham—1

Vacancies—2

On motion of Senator Pearce, **CCS** for **HCS** for **SCS** for **SB 492**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 492

An Act to repeal sections 161.097, 163.191, 173.670, 173.1006, 178.638, 340.381, and 340.396, RSMo, and to enact in lieu thereof ten new sections relating to higher education.

Was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senator Sater—1

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Dixon, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 615**, as amended moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 615

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 615, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 615, as amended;
2. That the Senate recede from its position on Senate Bill No. 615;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 615 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bob Dixon

/s/ Kurt Schaefer

/s/ Eric Schmitt

/s/ Jolie Justus

/s/ Joseph P. Keaveny

FOR THE HOUSE:

/s/ Kevin Austin

/s/ Robert Cornejo

/s/ Mike Colona

Senator Dixon moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Lamping	LeVota	Libla	Munzlinger	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey
Wallingford	Walsh	Wasson—27					

NAYS—Senators

Kraus	Lager	Nieves—3
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Absent—Senator Nasheed—1

Absent with leave—Senator Cunningham—1

Vacancies—2

On motion of Senator Dixon, **CCS** for **HCS** for **SB 615**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 615

An Act to repeal sections 49.272, 452.556, 476.056, 478.320, 478.437, 478.464, 478.513, 478.600, 483.140, 488.012, 488.014, 488.426, 488.607, 550.040, 550.060, 575.153, and 610.021, RSMo, section 476.385 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session, and section 476.385 as enacted by conference committee substitute for senate substitute for senate committee substitute for house bill no. 683, ninety-fifth general assembly, first regular session, and to enact in lieu thereof twenty-one new sections relating to the administration of justice, with an existing penalty provision, and an emergency clause for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Lamping	LeVota	Libla	Munzlinger	Nasheed	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senators

Kraus	Lager	Nieves—3
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Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Kraus—1

Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

On motion of Senator Dixon, title to the bill was agreed to.



Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Dixon, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 621** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 621

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 621, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 621, as amended;
2. That the Senate recede from its position on Senate Bill No. 621;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 621 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bob Dixon  
/s/ Eric Schmitt  
/s/ Kurt Schaefer  
/s/ Jolie Justus  
/s/ Joseph P. Keaveny

FOR THE HOUSE:

Stanley Cox  
/s/ Robert Cornejo  
/s/ Mike Colona

Senator Dixon moved that the above conference committee report no. 2 be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

On motion of Senator Dixon, **CCS No. 2** for **HCS** for **SB 621**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 621

An Act to repeal sections 3.010, 3.066, 3.090, 56.110, 67.320, 408.040, 447.560, 447.584, 452.556, 476.001, 476.320, 476.330, 476.340, 478.240, 478.320, 478.437, 478.464, 478.513, 478.600, 478.610, 488.305, 525.040, 525.070, 525.080, 525.230, 525.310, 550.040, 550.060, 632.480, 632.483, 632.484, and 650.120, RSMo, and to enact in lieu thereof thirty-seven new sections relating to judicial procedures, with penalty provisions and an effective date for certain sections and an emergency clause for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Curls	Dempsey	Dixon	Emery	Holsman	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators—None

Absent—Senators

Chappelle-Nadal    Nieves—2

Absent with leave—Senator Cunningham—1

Vacancies—2

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Kehoe assumed the Chair.

Senator Schaaf moved that the Senate grant the House a further conference on **SS** for **HCS** for **HB 1685**, which motion prevailed.

### **HOUSE BILLS ON SECOND READING**

The following Joint Resolution was read the 2nd time and referred to the Committee indicated:

**HCS** for **HJR 75**—Appropriations.

President Pro Tem Dempsey assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 1377**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HB 1713**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HCS** for **HJR 56**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On behalf of Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, Senator Silvey submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **HJR 48** and **HCS** for **HB 1867**, with **SCS**, begs leave to report that it has considered the same and recommends that the joint resolution and bill do pass.

### **RESOLUTIONS**

Senator Kraus offered Senate Resolution No. 2094, regarding Sullivan J. “Sully” Easley, Lee’s Summit, which was adopted.

Senator Walsh offered Senate Resolution No. 2095, regarding the Thirtieth Wedding Anniversary of Mr. and Mrs. Robert Allen Leake, which was adopted.

On motion of Senator Richard, the Senate recessed until 2:30 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Pearce.

**REFERRALS**

President Pro Tem Dempsey referred **HB 1713**, with **SCS**; and **HCS** for **HJR 56**, with **SCS** to the Committee on Governmental Accountability and Fiscal Oversight.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SBs 493, 485, 495, 516, 534, 545, 595, 616** and **624**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SBs 493, 485, 495, 516, 534, 545, 595, 616** and **624**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 1831**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 1231**, as amended, and request the Senate to recede from its position on **SS** for **SCS** for **HCS** for **HB 1231**, as amended, and failing to do so grant the House a conference thereon.

Also, the conferees be allowed to exceed the differences in Sections 478.320, 478.437, 478.464, 478.513, 478.600, and 478.740.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HA 1, HA 2, HA 1 to HA 3, HA 3**, as amended, and **HA 4** on **SCS** for **SB 729**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 852**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS No. 2** for **SB 754**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SB 860**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SB 860**, as amended. Representatives: Crawford, Diehl and Carpenter.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **SB 729**, as amended. Representatives: Lauer, Fitzwater and Kratky.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 852**, as amended. Representatives: Rhoads, Hinson and Rizzo.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS No. 2** for **SB 754**, as amended. Representatives: Flanigan, Richardson and Kratky.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has re-appointed the following Conference Committee on **SS** for **HCS** for **HB 1685** to act with a like committee from the Senate. Representatives: Neely, Richardson and Mitten.

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **SB 729**, as amended: Senators Romine, Schmitt, Brown, Keaveny and Nasheed.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SS No. 2** for **SB 754**, as amended: Senators Sater, Brown, Schaaf, Justus and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 852**, as amended: Senators Schmitt, Dixon, Silvey, Curls and Keaveny.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SB 860**, as amended: Senators Wasson, Kraus, Wallingford, LeVota and Sifton.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SS** for **HCS** for **HB 1685**: Senators Schaaf, Wasson, Sater, LeVota and Holsman.

### **HOUSE BILLS ON THIRD READING**

**HB 1692**, introduced by Representative Korman, with **SCS**, entitled:

An Act to repeal sections 247.060 and 247.080, RSMo, and to enact in lieu thereof two new sections relating to public water supply districts.

Was called from the Informal Calendar and taken up by Senator Justus.

**SCS** for **HB 1692**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1692

An Act to repeal sections 247.060 and 247.080, RSMo, and to enact in lieu thereof three new sections relating to public utility districts.

Was taken up.

Senator Justus moved that **SCS** for **HB 1692** be adopted.

Senator Justus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 1692, Page 4, Section 249.424, Line 5, by striking the word “fifty” and inserting in lieu thereof the following: “**thirty-six**”; and further amend line 31, by striking the word “fifty” and inserting in lieu thereof the following: “**thirty-six**”.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Justus moved that **SCS** for **HB 1692**, as amended, be adopted, which motion prevailed.

On motion of Senator Justus, **SCS** for **HB 1692**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Kraus—1

Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Justus, title to the bill was agreed to.

Senator Justus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**PRIVILEGED MOTIONS**

Senator Nieves moved that the Senate refuse to adopt the Conference Committee Report on **SS** for **SCS** for **HCS** for **HB 1439**, as amended, and request the House to grant the Senate a further conference thereon, which motion prevailed.

Senator Dixon moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HCS** for **HB 1231**, as amended, and grant the House a conference thereon; and further that the conferees be allowed to exceed the differences in Section 478.230; Section 478.437; Section 478.464; Section 478.513; Section 478.600 and Section 478.740, which motion prevailed.

Senator Lager assumed the Chair.

### **HOUSE BILLS ON THIRD READING**

**HB 1883**, introduced by Representatives Flanigan and Allen, with **SCA 1**, entitled:

An Act to repeal sections 3.142, 21.440, 21.445, 21.450, 21.455, 21.460, 21.465, 44.227, 208.530, 208.533, 208.535, 376.1190, and 376.1192, RSMo, and to enact in lieu thereof four new sections relating to the general assembly.

Was called from the Informal Calendar and taken up by Senator Dixon.

**SCA 1** was taken up.

Senator Dixon moved that the above committee amendment be adopted, which motion prevailed.

Senator Dixon offered **SS** for **HB 1883**, entitled:

### **SENATE SUBSTITUTE FOR HOUSE BILL NO. 1883**

An Act to repeal sections 3.142, 21.440, 21.445, 21.450, 21.455, 21.460, 21.465, 21.530, 21.535, 21.537, 21.795, 21.800, 21.801, 21.820, 21.835, 21.850, 21.910, 21.920, 33.150, 135.210, 135.230, 208.950, 208.952, 208.955, 208.975, 208.985, 217.025, 217.550, 217.567, 313.001, 361.120, 376.1190, 376.1192, 386.145, 620.602, RSMo, and to enact in lieu thereof seventeen new sections relating to the general assembly.

Senator Dixon moved that **SS** for **HB 1883** be adopted.

Senator Dixon offered **SA 1**:

### **SENATE AMENDMENT NO. 1**

Amend Senate Substitute for House Bill No. 1883, Page 29, Section 208.950, Lines 3-4 of said page, by striking the following: “, and the oversight committee”; and

Further amend said bill, page 35, section 208.985, lines 5-28 of said page, by striking all of said section from the bill; and

Further amend said bill, page 58, section 208.955, line 45 of said page, by inserting immediately after said line the following:

“[208.985. 1. Pursuant to section 33.803, by January 1, 2008, and each January first thereafter, the legislative budget office shall annually conduct a rolling five-year MO HealthNet forecast. The forecast shall be issued to the general assembly, the governor, the joint committee on MO HealthNet, and the oversight committee established in section 208.955. The forecast shall include, but not be limited to, the following, with additional items as determined by the legislative budget office:

- (1) The projected budget of the entire MO HealthNet program;
- (2) The projected budgets of selected programs within MO HealthNet;
- (3) Projected MO HealthNet enrollment growth, categorized by population and geographic area;
- (4) Projected required reimbursement rates for MO HealthNet providers; and
- (5) Projected financial need going forward.

2. In preparing the forecast required in subsection 1 of this section, where the MO HealthNet program overlaps more than one department or agency, the legislative budget office may provide for review and investigation of the program or service level on an interagency or interdepartmental basis in an effort to review all aspects of the program.]”;

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger offered **SA 2**:

#### SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Bill No. 1883, Page 41, Section 217.567, Line 24, by inserting immediately after said line the following:

“252.002. 1. There is hereby created a department of conservation to be headed by a conservation commission of four members appointed by the governor, by and with the advice and consent of the senate, not more than two of whom shall be of the same political party. The members shall have the qualifications, serve the terms and receive the expense reimbursement provided in Article IV, Constitution of Missouri. The commission shall appoint a director of the department of conservation who with its approval shall appoint assistants and other employees. **Any and all appointments made by the commission shall be made by and with the advice and consent of the senate.**

**2. A majority of commissioners, three, shall constitute a quorum for the transaction of business. If a quorum is not present, the remaining members shall adjourn the meeting to a later time. No business shall be transacted without a quorum.**

**3. All the powers, duties and functions of the conservation commission, chapters 252, 254, and others, are transferred by type I transfer to the department of conservation.”;** and

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Dixon, **HB 1883**, with **SS**, as amended (pending), was placed on the Informal Calendar.

**HB 1455**, introduced by Representatives Hoskins and Fraker, entitled:

An Act to repeal section 136.300, RSMo, and to enact in lieu thereof one new section relating to tax liability disputes.

Was called from the Informal Calendar and taken up by Senator Kraus.



On motion of Senator Kraus, **HB 1455** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Pearce moved that **SCS** for **HB 1390**, as amended, be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SCS** for **HB 1390**, as amended, was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Kraus moved that **SCS** for **HCS** for **HB 1296**, as amended, be called from the Informal

Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SCS** for **HCS** for **HB 1296**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HJR 48**, introduced by Representative Solon, et al, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 39(b) of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the state lottery.

Was taken up by Senator Wallingford.

On motion of Senator Wallingford, **HJR 48** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	Libla	Munzlinger	Nieves	Parson
Pearce	Richard	Romine	Schaaf	Schaefer	Schmitt	Sifton	Silvey
Wallingford	Walsh	Wasson—27					

NAYS—Senators

Emery	LeVota	Nasheed	Sater—4
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Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the joint resolution passed.

On motion of Senator Wallingford, title to the joint resolution was agreed to.

Senator Wallingford moved that the vote by which the joint resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schmitt assumed the Chair.

**HCS for HB 1867**, with **SCS**, entitled:

An Act to repeal sections 319.015, 319.016, 319.022, 319.024, 319.025, 319.026, 319.027, 319.028, 319.029, 319.030, 319.035, 319.040, 319.041, 319.045, and 319.050, RSMo, and to enact in lieu thereof thirteen new sections relating to underground facility safety, with an effective date.

Was taken up by Senator Kehoe.

**SCS for HCS for HB 1867**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1867

An Act to repeal sections 319.015, 319.016, 319.022, 319.024, 319.025, 319.026, 319.027, 319.028, 319.029, 319.030, 319.035, 319.040, 319.041, 319.045, and 319.050, RSMo, and to enact in lieu thereof thirteen new sections relating to underground facility safety, with an effective date.

Was taken up.

Senator Kehoe moved that **SCS for HCS for HB 1867** be adopted.

Senator Kehoe offered **SS for SCS for HCS for HB 1867**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1867

An Act to repeal sections 319.015, 319.016, 319.022, 319.024, 319.025, 319.026, 319.027, 319.028, 319.029, 319.030, 319.035, 319.040, 319.041, 319.045, and 319.050, RSMo, and to enact in lieu thereof thirteen new sections relating to underground facility safety, with an effective date.

Senator Kehoe moved that **SS for SCS for HCS for HB 1867** be adopted.

Senator Lager offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1867, Page 32, Section 319.041, Line 13 of said page, by inserting after all of said line the following:

“[389.585. As used in sections 389.585 to 389.591, the following terms mean:

(1) “Crossing”, the construction, operation, repair, or maintenance of a facility over, under, or across a railroad right-of-way by a utility when the right-of-way is owned by a land management company and not a railroad or railroad corporation;

(2) “Direct expenses”, includes, but is not limited to, any or all of the following:

- (a) The cost of inspecting and monitoring the crossing site;
- (b) Administrative and engineering costs for review of specifications and for entering a crossing on the railroad's books, maps, and property records and other reasonable administrative and engineering costs incurred as a result of the crossing;
- (c) Document and preparation fees associated with a crossing and any engineering specifications related to the crossing;
- (d) Damages assessed in connection with the rights granted to a utility with respect to a crossing;
- (3) "Facility", any cable, conduit, wire, pipe, casing pipe, supporting poles and guys, manhole, or other material or equipment that is used by a utility to furnish any of the following:
  - (a) Communications, communications-related, wireless communications, video, or information services;
  - (b) Electricity;
  - (c) Gas by piped system;
  - (d) Petroleum or petroleum products by piped system;
  - (e) Sanitary and storm sewer service;
  - (f) Water by piped system;
- (4) "Land management company", an entity that owns, leases, holds by easement, holds by adverse possession or otherwise possesses a corridor which is used for rail transportation purposes and is not a railroad or railroad corporation;
- (5) "Land management corridor", includes one or more of the following:
  - (a) A right-of-way or other interest in real estate that is owned, leased, held by easement, held by adverse possession or otherwise possessed by a land management company and not a railroad or railroad corporation; and which is used for rail transportation purposes. "Land management corridor" does not include yards, terminals or stations. "Land management corridor" also does not include railroad tracks or lines which have been legally abandoned;
  - (b) Any other interest in a right-of-way formerly owned by a railroad or railroad corporation that has been acquired by a land management company or similar entity and which is used for rail transportation purposes;
- (6) "Notice", a written description of the proposed project. Such notice shall include, at a minimum: a description of the proposed crossing including blueprints or plats, print copies of the engineering specifications for the crossing, a proposed time line for the commencement and completion of work at the crossing, a narrative description of the work to be performed at the crossing, proof of insurance for the work to be done and other reasonable requirements necessary for the processing of an application;
- (7) "Railroad" or "railroad corporation", a railroad corporation organized and operating under chapter 388, or any other corporation, trustees of a railroad corporation, company, affiliate, association, joint stock association or company, firm, partnership, or individual,

which is an owner, operator, occupant, lessee, manager, or railroad right-of-way agent acting on behalf of a railroad or railroad corporation;

(8) "Railroad right-of-way", includes one or more of the following:

(a) A right-of-way or other interest in real estate that is owned or operated by a land management company and not a railroad or railroad corporation;

(b) Any other interest in a former railroad right-of-way that has been acquired or is operated by a land management company or similar entity;

(9) "Special circumstances", includes either or both of the following:

(a) The characteristics of a segment of a railroad right-of-way not found in a typical segment of a railroad right-of-way that enhance the value or increase the damages or the engineering or construction expenses for the land management company associated with a proposed crossing, or to the current or reasonably anticipated use by a land management company of the railroad right-of-way, necessitating additional terms and conditions or compensation associated with a crossing;

(b) Variances from the standard specifications requested by the land management company;

"Special circumstances" may include, but is not limited to, the railroad right-of-way segment's relationship to other property, location in urban or other developed areas, the existence of unique topography or natural resources, or other characteristics or dangers inherent in the particular crossing or segment of the railroad right-of-way;

(10) "Telecommunications service", the transmission of information by wire, radio, optical cable, electronic impulses, or other similar means. As used in this definition, "information" means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols;

(11) "Utility", shall include:

(a) Any public utility subject to the jurisdiction of the public service commission;

(b) Providers of telecommunications service, wireless communications, or other communications-related service;

(c) Any electrical corporation which is required by its bylaws to operate on the not-for-profit cooperative business plan, with its consumers who receive service as the stockholders of such corporation, and which holds a certificate of public convenience and necessity to serve a majority of its customer-owners in counties of the third classification as of August 28, 2003;

(d) Any rural electric cooperative; and

(e) Any municipally owned utility.]

[389.586. 1. After the land management company receives a copy of the notice from the utility, the land management company shall send a complete copy of that notice, by certified mail or by private delivery service which requires a return receipt, to the railroad or railroad

corporation within two business days. No utility may commence a crossing until the railroad or railroad corporation has approved the crossing. The railroad or railroad corporation shall have thirty days from the receipt of the notice to review and approve or reject the proposed crossing. The railroad or railroad corporation shall reject a proposed crossing only if special circumstances exist. If the railroad or railroad corporation rejects a proposed crossing, the utility may submit an amended proposal for a crossing. The railroad or railroad corporation shall have an additional thirty days from receipt of the amended proposal to review and approve or reject the amended crossing proposal. The railroad or railroad corporation shall not unreasonably withhold approval. Once the railroad or railroad corporation grants such approval, and upon payment of the fee and any other payments authorized pursuant to sections 389.586 or 389.587, the utility shall be deemed to have authorization to commence the crossing activity. The utility shall provide the railroad or railroad corporation with written notification of the commencement of the crossing activity before beginning such activity.

2. The land management company and the utility shall maintain and repair its own property within the land management corridor and each shall bear responsibility for its own acts and omissions, except that the utility shall be responsible for any bodily injury or property damage arising from the installation, maintenance, repair and its use of the crossing. The railroad or railroad corporation may require the utility and the land management company to obtain reasonable amounts of comprehensive general liability insurance and railroad protective liability insurance coverage for a crossing, and that this insurance coverage name the railroad or railroad corporation as an insured. Further, the land management company and the utility shall provide the railroad or railroad corporation with proof that they have liability insurance coverage which meets such requirements, if any.

3. A utility shall have immediate access to a crossing for repair and maintenance of existing facilities in case of an immediate threat to life and upon notification to the applicable railroad or railroad corporation. Before commencing any such work, the utility must first contact the railroad or railroad corporation's dispatch center, command center or other facility which is designated to receive emergency communications.

4. The utility shall be provided a crossing, absent a claim of special circumstances, after payment by the utility of the standard crossing fee, submission of completed engineering specifications to the land management company, and approval of the crossing by the railroad or railroad corporation. The engineering specifications shall comply with the clearance requirements as established by the National Electrical Safety Code, the American Railway Engineering and Maintenance of Way Association and the standards of the applicable railroad or railroad corporation which are in effect and which apply to conditions at a particular crossing. The land management company and utility shall further be responsible for any modifications, upgrades or other changes which may be needed to comply with changes in said standards.

5. The utility, the railroad or railroad corporation, and the land management company shall agree to such other terms and conditions as may be necessary to provide for reasonable use of a land management corridor by a utility.]

[389.587. Unless otherwise agreed by the parties and subject to section 389.588, a utility

that locates its facilities within the railroad right-of-way for a crossing, other than a crossing along a state highway or other public road, shall pay the land management company a one-time standard crossing fee of one thousand five hundred dollars for each crossing plus the costs associated with modifications to existing insurance contracts of the land management company. The standard crossing fee shall be in lieu of any license, permit, application, plan review, or any other fees or charges to reimburse the land management company for the direct expenses incurred by the land management company as a result of the crossing. The utility shall also reimburse the land management company for any actual flagging expenses associated with a crossing in addition to the standard crossing fee. The railroad or railroad corporation has the right to halt work at the crossing if the flagging does not meet the standards of the railroad or railroad corporation. Nothing in this section is intended to otherwise restrict or limit any authority or right a utility may have to locate facilities at a crossing along a state highway or any other public road or to otherwise enter upon lands where authorized by law.]

[389.588. 1. Notwithstanding the provisions of section 389.586, nothing shall prevent a land management company and a utility from otherwise negotiating the terms and conditions applicable to a crossing or the resolution of any disputes relating to the crossing so long as they do not interfere with the rights of a railroad or railroad corporation. No agreement between a land management company and a utility shall affect the rights, interests or operations of a railroad or railroad corporation.

2. Notwithstanding subsection 1 of this section, the provisions of this section shall not impair the authority of a utility to secure crossing rights by easement pursuant to the exercise of the power of eminent domain.]

[389.589. 1. If the parties cannot agree that special circumstances exist, the dispute shall be submitted to binding arbitration.

2. Either party may give written notice to the other party of the commencement of a binding arbitration proceeding in accordance with the commercial rules of arbitration in the American Arbitration Association. Any decision by the board of arbitration shall be final, binding and conclusive as to the parties. Nothing provided in this section shall prevent either party from submission of disputes to the courts. Land management companies and utilities may seek enforcement of sections 389.586 through 389.591 in a court of proper jurisdiction and shall be entitled to reasonable attorney fees if they prevail.

3. If the dispute over special circumstances concerns only the compensation associated with a crossing, then the utility may proceed with installation of the crossing during the pendency of the arbitration.]

[389.591. 1. Notwithstanding any provision of law to the contrary, sections 389.585 to 389.591 shall apply in all crossings of land management corridors involving a land management company and a utility and shall govern in the event of any conflict with any other provision of law, except that sections 389.585 to 389.591 shall not override or nullify the condemnation laws of this state nor confer the power of eminent domain on any entity not granted such power prior to August 28, 2013.

2. The provisions of sections 389.585 to 389.591 shall apply to a crossing commenced

after August 28, 2013. These provisions shall also apply to a crossing commenced before August 28, 2013, but only upon the expiration or termination of the agreement for such crossing.]"; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Schmitt assumed the Chair.

Senator Kehoe moved that **SS** for **SCS** for **HCS** for **HB 1867**, as amended, be adopted.

Photographers from the Daily Star Journal were given permission to take pictures in the Senate Chamber.

At the request of Senator Kehoe, **HCS** for **HB 1867**, with **SCS** and **SS** for **SCS**, as amended (pending), was placed on the Informal Calendar.

### **PRIVILEGED MOTIONS**

Senator Emery, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HB 1490**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

#### CONFERENCE COMMITTEE REPORT NO. 2 ON SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1490

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Bill No. 1490, with Senate Amendment No. 1, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 1 to Senate Amendment No. 11, Senate Amendment No. 11 as amended, Senate Amendment No. 12, Senate Amendment No. 14, and Senate Amendment No. 15, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 1490, as amended;
2. That the House recede from its position on House Bill No. 1490;
3. That the attached Conference Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Bill No. 1490, be Third Read and Finally Passed.

#### FOR THE HOUSE:

/s/ Kurt Bahr

/s/ John Diehl

/s/ Genise Montecillo

#### FOR THE SENATE:

/s/ Ed Emery

/s/ David Pearce

/s/ John Lamping

/s/ Maria Chappelle-Nadal

Joseph P. Keaveny



Senator Emery moved that the above conference committee report no. 2 be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard
Romine	Schaaf	Schaefer	Schmitt	Wallingford	Wasson—22		

## NAYS—Senators

Holsman	Justus	Keaveny	LeVota	Sifton	Silvey	Walsh—7
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## Absent—Senators

Dixon	Sater—2
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Absent with leave—Senator Cunningham—1

Vacancies—2

On motion of Senator Emery, **CCS No. 2** for **SS** for **SCS** for **HB 1490**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1490

An Act to repeal sections 160.514, 160.518, 160.526, 160.820, and 161.092, RSMo, and to enact in lieu thereof eight new sections relating to elementary and secondary education standards, with an emergency clause.

Was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard
Romine	Sater	Schaaf	Schaefer	Schmitt	Wallingford	Wasson—23	

## NAYS—Senators

Holsman	Keaveny	LeVota	Sifton	Silvey	Walsh—6
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## Absent—Senators

Dixon	Justus—2
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Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Emery, title to the bill was agreed to.

Senator Emery moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Nieves assumed the Chair.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 896**, entitled:

An Act to repeal section 49.272, RSMo, and sections 1 to 21 of an act of the general assembly of the state of Missouri approved on February 26, 1885, Laws of Missouri, pages 116 to 120, sections 1 to 11 of an act of the general assembly of the state of Missouri approved on February 26, 1885, Laws of Missouri, pages 131 and 132, and sections 1 to 10 of an act of the general assembly of the state of Missouri approved on February 26, 1885, Laws of Missouri, pages 134 and 135, and to enact in lieu thereof four new sections relating to county governance, with a penalty provision.

With House Amendment No. 1.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 896, Page 1, In the Title, Line 5, by deleting “ and 132” and inserting in lieu thereof “to 133”; and

Further amend said bill, Page 13, Section B, Line 2, by deleting “and 132” and inserting in lieu thereof “to 133”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 664**, entitled:

An Act to repeal sections 260.273, 444.772, and 643.055, RSMo, and to enact in lieu thereof seven new sections relating to natural resources, with an emergency clause for a certain section.

With House Amendment No. 2.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 664, Pages 3-6, Section 444.772, Lines 1-108, by deleting all of said section and lines from the bill; and

Further amend said bill, Page 8, Section 644.058, Line 9, by inserting after all of said section and line the following:

“644.145. 1. When issuing permits under this chapter that incorporate a new requirement for discharges from publicly owned combined or separate sanitary or storm sewer systems or treatment works, or when enforcing provisions of this chapter or the Federal Water Pollution Control Act, 33 U.S.C. 1251,

et seq., pertaining to any portion of a publicly owned combined or separate sanitary or storm sewer system or treatment works, the department of natural resources shall make a finding of affordability **on the costs to be incurred and the impact of any rate changes on ratepayers** upon which to base such permits and decisions, to the extent allowable under this chapter and the Federal Water Pollution Control Act.

2. (1) The department of natural resources shall not be required under this section to make a finding of affordability when:

(a) Issuing collection system extension permits;

(b) Issuing National Pollution Discharge Elimination System operating permit renewals which include no new environmental requirements; or

(c) The permit applicant certifies that the applicable requirements are affordable to implement or otherwise waives the requirement for an affordability finding; however, at no time shall the department require that any applicant certify, as a condition to approving any permit, administrative or civil action, that a requirement, condition, or penalty is affordable.

(2) The exceptions provided under paragraph (c) of subdivision (1) of this subsection do not apply when the community being served has less than three thousand three hundred residents.

3. When used in this chapter and in standards, rules and regulations promulgated pursuant to this chapter, the following words and phrases mean:

(1) “Affordability”, with respect to payment of a utility bill, a measure of whether an individual customer or household **with an income equal to the lower of the median household income for their community or the state of Missouri** can pay the bill without undue hardship or unreasonable sacrifice in the essential lifestyle or spending patterns of the individual or household, taking into consideration the criteria described in subsection 4 of this section;

(2) “Financial capability”, the financial capability of a community to make investments necessary to make water quality-related improvements;

(3) **“Finding of affordability”, a department statement as to whether an individual or a household receiving as income an amount equal to the lower of the median household income for the applicant community or the state of Missouri would be required to make unreasonable sacrifices in their essential lifestyle or spending patterns or undergo hardships in order to make the projected monthly payments for sewer services. The department shall make a statement that the proposed changes meet the definition of affordable, or fail to meet the definition of affordable, or are implemented as a federal mandate regardless of affordability.**

4. The department of natural resources shall adopt procedures by which it will make affordability findings that evaluate the affordability of permit requirements and enforcement actions described in subsection 1 of this section, and may begin implementing such procedures prior to promulgating implementing regulations. The commission shall have the authority to promulgate rules to implement this section pursuant to chapters 536 and 644, and shall promulgate such rules as soon as practicable. Affordability findings shall be based upon reasonably verifiable data and shall include an assessment of affordability with respect to persons or entities affected.

The department shall offer the permittee an opportunity to review a draft affordability finding, and the permittee may suggest changes and provide additional supporting information, subject to subsection 6 of

this section. The finding shall be based upon the following criteria:

- (1) A community's financial capability and ability to raise or secure necessary funding;
  - (2) Affordability of pollution control options for the individuals or households **at or below the median household income level** of the community;
  - (3) An evaluation of the overall costs and environmental benefits of the control technologies;
  - (4) **Inclusion of ongoing costs of operating and maintaining the existing wastewater collection and treatment system, including payments on outstanding debts for wastewater collection and treatment systems when calculating projected rates;**
  - (5) An inclusion of ways to reduce economic impacts on distressed populations in the community, including but not limited to low- and fixed-income populations. This requirement includes but is not limited to:
    - (a) Allowing adequate time in implementation schedules to mitigate potential adverse impacts on distressed populations resulting from the costs of the improvements and taking into consideration local community economic considerations; and
    - (b) Allowing for reasonable accommodations for regulated entities when inflexible standards and fines would impose a disproportionate financial hardship in light of the environmental benefits to be gained;
  - [(5)] (6) An assessment of other community investments **and operating costs** relating to environmental improvements **and public health protection;**
  - [(6)] (7) An assessment of factors set forth in the United States Environmental Protection Agency's guidance, including but not limited to the "Combined Sewer Overflow Guidance for Financial Capability Assessment and Schedule Development" that may ease the cost burdens of implementing wet weather control plans, including but not limited to small system considerations, the attainability of water quality standards, and the development of wet weather standards; and
  - [(7)] (8) An assessment of any other relevant local community economic condition.
5. Prescriptive formulas and measures used in determining financial capability, affordability, and thresholds for expenditure, such as median household income, should not be considered to be the only indicator of a community's ability to implement control technology and shall be viewed in the context of other economic conditions rather than as a threshold to be achieved.
6. Reasonable time spent preparing draft affordability findings, allowing permittees to review draft affordability findings or draft permits, or revising draft affordability findings, shall be allowed in addition to the department's deadlines for making permitting decisions pursuant to section 644.051.
7. If the department of natural resources fails to make a finding of affordability where required by this section, then the resulting permit or decision shall be null, void and unenforceable.
8. The department of natural resources' findings under this section may be appealed to the commission pursuant to subsection 6 of section 644.051.

**9. The department shall file an annual report by the beginning of the fiscal year with the governor, the speaker of the house of representatives, the president pro tempore of the senate, and the chairs of the committees in both houses having primary jurisdiction over natural resource issues showing at least the following information on the findings of affordability completed in the previous calendar year:**

**(1) The total number of findings of affordability issued by the department, those categorized as affordable, those categorized as not meeting the definition of affordable, and those implemented as a federal mandate regardless of affordability;**

**(2) The average increase in sewer rates both in dollars and percentage for all findings found to be affordable;**

**(3) The average increase in sewer rates as a percentage of median house income in the communities for those findings determined to be affordable and a separate calculation of average increases in sewer rates for those found not to meet the definition of affordable;**

**(4) A list of all the permit holders receiving findings, and for each permittee the following data taken from the finding of affordability shall be listed:**

**(a) Current and projected monthly residential sewer rates in dollars;**

**(b) Projected monthly residential sewer rates as a percentage of median house income;**

**(c) Percentage of households at or below the state poverty rate.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

### **PRIVILEGED MOTIONS**

Senator Parson moved that **SB 508**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS for SB 508**, as amended, entitled:

#### **HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 508**

An Act to repeal sections 43.530, 208.631, 208.636, 208.640, 208.643, 208.646, and 376.2004, RSMo, and to enact in lieu thereof eight new sections relating to health insurance, with a penalty provision.

Was taken up.

Senator Parson moved that **HCS for SB 508**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Emery	Holsman	Justus	Kehoe
Kraus	Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson

Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Wasson—27					

## NAYS—Senators

Keaveny	LeVota	Walsh—3
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Absent—Senator Dixon—1

Absent with leave—Senator Cunningham—1

Vacancies—2

On motion of Senator Parson, **HCS for SB 508**, as amended, was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Emery	Holsman	Justus	Kehoe
Kraus	Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Wasson—27					

## NAYS—Senators

Keaveny	LeVota	Walsh—3
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Absent—Senator Dixon—1

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

### CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 1231**, as amended: Senators Dixon, Schaefer, Schmitt, Justus and Keaveny.

### PRIVILEGED MOTIONS

Senator Schmitt moved that the Senate refuse to recede from its position on **SCS** for **HCS** for **HB 1831**, as amended and grant the House a conference thereon, which motion prevailed.

Senator Wallingford moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 896**, as amended

and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Kraus, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 656**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 656

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 656, with House Amendment Nos. 1, 2, 3, and 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 656, as amended;
2. That the Senate recede from its position on Senate Bill No. 656;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 656 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus

/s/ Brian Munzlinger

/s/ Bob Dixon

Joseph P. Keaveny

Jason Holsman

FOR THE HOUSE:

/s/ Kevin Elmer

/s/ Caleb Jones

Michael Butler

Senator Kraus moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Dempsey	Emery	Kehoe	Kraus	Lager	Lamping	LeVota
Libla	Munzlinger	Nieves	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Silvey	Wallingford	Wasson—21			

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	Nasheed	Sifton	Walsh—8
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Absent—Senators

Dixon	Parson—2
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Absent with leave—Senator Cunningham—1

Vacancies—2

On motion of Senator Kraus, **CCS** for **HCS** for **SB 656**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 656

An Act to repeal sections 21.750, 84.340, 571.030, 571.101, 571.107, 571.111, 571.117, 575.153, 590.010, and 590.205, RSMo, and to enact in lieu thereof sixteen new sections relating to firearms, with penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Dempsey	Emery	Kehoe	Kraus	Lager	Lamping	LeVota
Libla	Munzlinger	Nieves	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Silvey	Wallingford	Wasson—21			

NAYS—Senators

Chappelle-Nadal	Holsman	Justus	Keaveny	Nasheed	Sifton	Walsh—7	
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Absent—Senators

Curls	Dixon	Parson—3					
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Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Keaveny moved that **SB 500**, with **HA 1** be taken up for 3rd reading and final passage, which motion prevailed.

**HA 1** was taken up.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Dempsey	Dixon	Emery	Holsman	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senator Curls—1



Absent with leave—Senator Cunningham—1

Vacancies—2

On motion of Senator Keaveny, **SB 500**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Dempsey	Dixon	Emery	Holsman	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senator Curls—1

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Pearce moved that the Senate refuse to recede from its position on **SCS** for **HB 1553**, as amended and grant the House a conference thereon, which motion prevailed.

### CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HB 1553**, as amended: Senators Pearce, Dixon, Schaefer, Keaveny and Nasheed.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 1831**, as amended: Senators Schmitt, Schaaf, Pearce, Justus and Keaveny.

### HOUSE BILLS ON THIRD READING

**HCS** for **HB 1614**, with **SCS**, entitled:

An Act to repeal section 161.825, RSMo, and to enact in lieu thereof one new section relating to Bryce's Law.

Was called from the Informal Calendar and taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 1614**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1614

An Act to repeal section 161.825, RSMo, and to enact in lieu thereof one new section relating to educational services for students with qualifying needs.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 1614** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 1614**, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senator Parson—1

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HB 1707**, introduced by Representative Conway, entitled:

An Act to repeal sections 174.709, 174.712, and 178.862, RSMo, and to enact in lieu thereof three new sections relating to community college police officers.

Was called from the Informal Calendar and taken up by Senator Kehoe.

Senator Kehoe offered **SS** for **HB 1707**, entitled:

SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 1707

An Act to repeal sections 174.709, 174.712, 178.862, 300.320, 304.154, 610.120, and 610.122, RSMo, and to enact in lieu thereof seven new sections relating to the operation of motor vehicles.

Senator Kehoe moved that **SS** for **HB 1707** be adopted, which motion prevailed.

On motion of Senator Kehoe, **SS** for **HB 1707** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Emery—1

Absent—Senator Parson—1

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS** for **HBs 1665** and **1335**, with **SCS**, entitled:

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to the publishing of certain photographers on internet websites, with a penalty provision.

Was called from the Informal Calendar and taken up by Senator Schaefer.

**SCS** for **HCS** for **HBs 1665** and **1335**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NOS. 1665 and 1335

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to the publishing of certain photographs on internet websites, with a penalty provision.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HBs 1665** and **1335** be adopted.

Senator Lager offered **SS** for **SCS** for **HCS** for **HBs 1665** and **1335**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NOS. 1665 & 1335

An Act to repeal sections 57.015, 57.201, 57.220, 57.250, 483.140, 544.216, 610.120, and 610.122,

RSMo, and to enact in lieu thereof eleven new sections relating to the administration of justice, with penalty provisions.

Senator Lager moved that **SS** for **SCS** for **HCS** for **HBs 1665** and **1335** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SS** for **SCS** for **HCS** for **HBs 1665** and **1335** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

## NAYS—Senators—None

## Absent—Senators

Justus            Parson—2

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Kehoe moved that **HCS** for **HB 1867**, with **SCS** and **SS** for **SCS**, as amended (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SS** for **SCS** for **HCS** for **HB 1867**, as amended, was again taken up.

Senator Kehoe moved that **SS** for **SCS** for **HCS** for **HB 1867**, as amended, be adopted, which motion prevailed on a standing division vote.

Senator Schaaf assumed the Chair.

On motion of Senator Kehoe, **SS** for **SCS** for **HCS** for **HB 1867**, as amended, was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Holsman	Keaveny	Kehoe
Lager	LeVota	Munzlinger	Nasheed	Pearce	Richard	Sater	Schaaf
Schaefer	Schmitt	Sifton	Walsh	Wasson—21			

## NAYS—Senators

Emery            Kraus            Lamping            Libla            Nieves            Romine            Wallingford—7

## Absent—Senators

Justus            Parson            Silvey—3

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS for HB 1225, with SCS, entitled:**

An Act to repeal sections 415.400, 415.405, 415.410, 415.415, 415.417, 415.420, and 415.425, RSMo, and to enact in lieu thereof eighteen new sections relating to self-service storage facilities, with an effective date for certain sections.

**SCS for HCS for HB 1225, entitled:**

Was called from the Informal Calendar and taken up by Senator Romine.

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1225

An Act to repeal sections 415.400, 415.405, 415.410, 415.415, 415.417, 415.420, and 415.425, RSMo, and to enact in lieu thereof seven new sections relating to self-service storage facilities, with an effective date for certain sections.

Was taken up.

Senator Romine moved that **SCS for HCS for HB 1225** be adopted, which motion prevailed.

On motion of Senator Romine, **SCS for HCS for HB 1225** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators—None

## Absent—Senators

Justus            Parson—2

Absent with leave—Senator Cunningham—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### PRIVILEGED MOTIONS

Senator Brown moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 664**, as amended and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 584**, entitled:

An Act to repeal sections 136.300, 142.815, 143.221, 144.010, 144.018, 144.020, 144.030, 144.044, 144.049, 144.080, and 144.190, RSMo, and to enact in lieu thereof fourteen new sections relating to taxation, with an existing penalty provision.

With House Amendment Nos. 1, 2, 3, 4, House Amendment No. 1 to House Amendment No. 5 and House Amendment No. 5, as amended.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 584, Page 11, Section 144.010, Line 91, by deleting the numbers, “**(20) or (21)**” and inserting in lieu thereof the numbers, “**(20), (21), or (22)**”; and

Further amend said bill, Page 13, Section 144.018, Line 18, by deleting all of said line and inserting in lieu thereof the following:

“the amount paid for admissions or seating accommodations[, or fees paid] to[, or in] such place of”; and

Further amend said bill, page, section, Line 32, by inserting after the word, “**accommodations, or**” the following words, “**charges or**”; and

Further amend said bill, page, section, Line 33, by deleting the numbers, “**(20) or (21)**” and inserting in lieu thereof the numbers, “**(20), (21), or (22)**”; and

Further amend said bill, Page 15, Section 144.020, Line 24, by deleting the numbers, “**(20) or (21)**” and inserting in lieu thereof the numbers, “**(20), (21), or (22)**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 584, Page 9, Section 143.221, Line 28, by inserting after said section and line the following:

“143.451. 1. Missouri taxable income of a corporation shall include all income derived from sources within this state.

2. A corporation described in subdivision (1) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income from sources within this state, including that from the transaction of business in this state and that from the transaction of business partly done in this state and partly done in another state or states. However:

(1) Where income results from a transaction partially in this state and partially in another state or states, and income and deductions of the portion in the state cannot be segregated, then such portions of income and deductions shall be allocated in this state and the other state or states as will distribute to this state a portion based upon the portion of the transaction in this state and the portion in such other state or states.

(2) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner, or the manner set forth in subdivision (3) of this subsection:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state.

(b) The amount of sales which are transactions wholly in this state shall be added to one-half of the amount of sales which are transactions partly within this state and partly without this state, and the amount thus obtained shall be divided by the total sales or in cases where sales do not express the volume of business, the amount of business transacted wholly in this state shall be added to one-half of the amount of business transacted partly in this state and partly outside this state and the amount thus obtained shall be divided by the total amount of business transacted, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction.

(c) For the purposes of this subdivision, a transaction involving the sale of tangible property is:

a. “Wholly in this state” if both the seller’s shipping point and the purchaser’s destination point are in this state;

b. “Partly within this state and partly without this state” if the seller’s shipping point is in this state and the purchaser’s destination point is outside this state, or the seller’s shipping point is outside this state and the purchaser’s destination point is in this state;

c. Not “wholly in this state” or not “partly within this state and partly without this state” only if both the seller’s shipping point and the purchaser’s destination point are outside this state.

(d) For purposes of this subdivision:

a. The purchaser’s destination point shall be determined without regard to the FOB point or other conditions of the sale; and

b. The seller’s shipping point is determined without regard to the location of the seller’s principle office or place of business.

(3) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state;

(b) The amount of sales which are transactions in this state shall be divided by the total sales, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction;

(c) For the purposes of this subdivision, a transaction involving the sale of tangible property is:

a. “In this state” if the purchaser’s destination point is in this state;

b. Not “in this state” if the purchaser’s destination point is outside this state;

(d) For purposes of this subdivision, the purchaser’s destination point shall be determined without regard to the FOB point or other conditions of the sale and shall not be in this state if the purchaser received the tangible personal property from the seller in this state for delivery to the purchaser’s location outside this state;

**(e) For the purposes of this subdivision, a transaction involving the sale other than the sale of tangible property is “in this state” if the taxpayer’s market for the sales is in this state. The taxpayer’s market for sales is in this state:**

**a. In the case of sale, rental, lease, or license of real property, if and to the extent the property is located in this state;**

**b. In the case of rental, lease, or license of tangible personal property, if and to the extent the property is located in this state;**

**c. In the case of sale of a service, if and to the extent the benefit of the service is delivered to a purchaser location in this state; and**

**d. In the case of intangible property:**

**(i) That is rented, leased, or licensed, if and to the extent the property is used in this state by the rentee, lessee, or licensee, provided that intangible property utilized in marketing a good or service to a consumer is “used in this state” if that good or service is purchased by a consumer who is in this state. Franchise fees or royalties received for the rent, lease, license, or use of a trade name, trademark, service mark, or franchise system or provides a right to conduct business activity in a specific geographic area are “used in this state” to the extent the franchise location is in this state; and**

**(ii) That is sold, if and to the extent the property is used in this state, provided that:**

**i. A contract right, government license, or similar intangible property that authorizes the holder to conduct a business activity in a specific geographic area is “used in this state” if the geographic area includes all or part of this state;**

**ii. Receipts from intangible property sales that are contingent on the productivity, use, or disposition of the intangible property shall be treated as receipts from the rental, lease, or licensing of such intangible property under item (i) of this subparagraph; and**



**iii. All other receipts from a sales of intangible property shall be excluded from the numerator and denominator of the sales factor;**

**(f) If the state or states of assignment under paragraph (e) of this subdivision cannot be determined, the state or states of assignment shall be reasonably approximated;**

**(g) If the state of assignment cannot be determined under paragraph (e) of this subdivision or reasonably approximated under paragraph (f) of this subdivision, such sales shall be excluded from the denominator of the sales factor;**

**(h) The director may prescribe such rules and regulations as necessary or appropriate to carry out the purposes of this section.**

(4) For purposes of this subsection, the following words shall, unless the context otherwise requires, have the following meaning:

(a) “Administration services” include, but are not limited to, clerical, fund or shareholder accounting, participant record keeping, transfer agency, bookkeeping, data processing, custodial, internal auditing, legal and tax services performed for an investment company;

(b) “Affiliate”, the meaning as set forth in 15 U.S.C. Section 80a-2(a)(3)(C), as may be amended from time to time;

(c) “Distribution services” include, but are not limited to, the services of advertising, servicing, marketing, underwriting or selling shares of an investment company, but, in the case of advertising, servicing or marketing shares, only where such service is performed by a person who is, or in the case of a closed end company, was, either engaged in the services of underwriting or selling investment company shares or affiliated with a person that is engaged in the service of underwriting or selling investment company shares. In the case of an open end company, such service of underwriting or selling shares must be performed pursuant to a contract entered into pursuant to 15 U.S.C. Section 80a-15(b), as from time to time amended;

(d) “Investment company”, any person registered under the federal Investment Company Act of 1940, as amended from time to time, (the act) or a company which would be required to register as an investment company under the act except that such person is exempt to such registration pursuant to Section 80a-3(c)(1) of the act;

(e) “Investment funds service corporation” includes any corporation or S corporation doing business in the state which derives more than fifty percent of its gross income in the ordinary course of business from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. An investment funds service corporation shall include any corporation or S corporation providing management services as an investment advisory firm registered under Section 203 of the Investment Advisors Act of 1940, as amended from time to time, regardless of the percentage of gross revenues consisting of fees from management services provided to or on behalf of an investment company;

(f) “Management services” include but are not limited to, the rendering of investment advice directly or indirectly to an investment company making determinations as to when sales and purchases of securities

are to be made on behalf of the investment company, or the selling or purchasing of securities constituting assets of an investment company, and related activities, but only where such activity or activities are performed:

a. Pursuant to a contract with the investment company entered into pursuant to 15 U.S.C. Section 80a-15(a), as from time to time amended;

b. For a person that has entered into such contract with the investment company; or

c. For a person that is affiliated with a person that has entered into such contract with an investment company;

(g) “Qualifying sales”, gross income derived from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. For purposes of this section, “gross income” is defined as that amount of income earned from qualifying sources without deduction of expenses related to the generation of such income;

(h) “Residence”, presumptively the fund shareholder’s mailing address on the records of the investment company. If, however, the investment company or the investment funds service corporation has actual knowledge that the fund shareholder’s primary residence or principal place of business is different than the fund shareholder’s mailing address such presumption shall not control. To the extent an investment funds service corporation does not have access to the records of the investment company, the investment funds service corporation may employ reasonable methods to determine the investment company fund shareholder’s residence.

(5) Notwithstanding other provisions of law to the contrary, qualifying sales of an investment funds service corporation, or S corporation, shall be considered wholly in this state only to the extent that the fund shareholders of the investment companies, to which the investment funds service corporation, or S corporation, provide services, are resided in this state. Wholly in this state qualifying sales of an investment funds service corporation, or S corporation, shall be determined as follows:

(a) By multiplying the investment funds service corporation’s total dollar amount of qualifying sales from services provided to each investment company by a fraction, the numerator of which shall be the average of the number of shares owned by the investment company’s fund shareholders resided in this state at the beginning of and at the end of the investment company’s taxable year that ends with or within the investment funds service corporation’s taxable year, and the denominator of which shall be the average of the number of shares owned by the investment company’s fund shareholders everywhere at the beginning of and at the end of the investment company’s taxable year that ends with or within the investment funds service corporation’s taxable year;

(b) A separate computation shall be made to determine the wholly in this state qualifying sales from each investment company. The qualifying sales for each investment company shall be multiplied by the respective percentage of each fund, as calculated pursuant to paragraph (a) of this subdivision. The product of this equation shall result in the wholly in this state qualifying sales. The qualifying sales for each investment company which are not wholly in this state will be considered wholly without this state;

(c) To the extent an investment funds service corporation has sales which are not qualifying sales, those nonqualified sales shall be apportioned to this state based on the methodology utilized by the investment

funds service corporation without regard to this subdivision.

3. Any corporation described in subdivision (1) of subsection 1 of section 143.441 organized in this state or granted a permit to operate in this state for the transportation or care of passengers shall report its gross earnings within the state on intrastate business and shall also report its gross earnings on all interstate business done in this state which report shall be subject to inquiry for the purpose of determining the amount of income to be included in Missouri taxable income. The previous sentence shall not apply to a railroad.

4. A corporation described in subdivision (2) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources in this state and all income from each transportation service wholly within this state, from each service where the only lines of such corporation used are those in this state, and such proportion of revenue from each service where the facilities of such corporation in this state and in another state or states are used, as the mileage used over the lines of such corporation in the state shall bear to the total mileage used over the lines of such corporation. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year of any fixed transportation facilities, real estate and improvements in this state leased from any other railroad shall be divided by the sum of the total amount of investment of such corporation on December thirty-first of each year in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year, of any fixed transportation facilities, real estate and improvements leased from any other railroad. Where any fixed transportation facilities, real estate or improvements are leased by more than one railroad, such portion of the value shall be used by each railroad as the rental paid by each shall bear to the rental paid by all lessees. The income shall be multiplied by the fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

5. A corporation described in subdivision (3) of subsection 1 of section 143.441 shall include in its Missouri taxable income one-half of the net income from the operation of a bridge between this and another state. If any such bridge is owned or operated by a railroad corporation or corporations, or by a corporation owning a railroad corporation using such bridge, then the figures for operation of such bridge may be included in the return of such railroad or railroads; or if such bridge is owned or operated by any other corporation which may now or hereafter be required to file an income tax return, one-half of the income or loss to such corporation from such bridge may be included in such return by adding or subtracting same to or from another net income or loss shown by the return.

6. A corporation described in subdivision (4) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources within this state. Income shall include revenue from each telephonic or telegraphic service rendered wholly within this state; from each service rendered for which the only facilities of such corporation used are those in this state; and from each service rendered over the facilities of such corporation in this state and in other state or states, such proportion of such revenue as the mileage involved in this state shall bear to the total mileage involved over the lines of said company in all states. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in telephonic or telegraphic facilities, real estate and improvements thereon, shall be divided by the amount of the total investment of such corporation on December thirty-first of each year in telephonic or telegraphic facilities, real estate and improvements. The income of the taxpayer shall be multiplied by fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

7. From the income determined in subsections 2, 3, 4, 5 and 6 of this section to be from all sources within this state shall be deducted such of the deductions for expenses in determining Missouri taxable income as were incurred in this state to produce such income and all losses actually sustained in this state in the business of the corporation.

8. If a corporation derives only part of its income from sources within Missouri, its Missouri taxable income shall only reflect the effect of the following listed deductions to the extent applicable to Missouri. The deductions are: (a) its deduction for federal income taxes pursuant to section 143.171, and (b) the effect on Missouri taxable income of the deduction for net operating loss allowed by Section 172 of the Internal Revenue Code. The extent applicable to Missouri shall be determined by multiplying the amount that would otherwise affect Missouri taxable income by the ratio for the year of the Missouri taxable income of the corporation for the year divided by the Missouri taxable income for the year as though the corporation had derived all of its income from sources within Missouri. For the purpose of the preceding sentence, Missouri taxable income shall not reflect the listed deductions.

9. Any investment funds service corporation organized as a corporation or S corporation which has any shareholders resided in this state shall be subject to Missouri income tax as provided in this chapter.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 584, Pages 1-4, Section 67.585, Lines 1-116, by deleting all of said section and said lines; and

Further amend said bill, Page 27, Section 144.058, Line 1, by inserting before the phrase “**In addition**” the following:

“**1.**”; and

Further amend said page and said section, Line 11, by inserting after all of said line the following:

“**2. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525, 144.600 to 144.761, 238.235, and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525, 144.600 to 144.761, 238.235, and the local sales tax law as defined in section 32.085, electrical energy, machinery, equipment, parts, and materials used or consumed in connection with or to facilitate the storage or processing of data in any facility or part of a facility that is used primarily for such data storage or processing. “Processing”, as used in this section, shall mean any action or process performed upon or using data in any form.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 584, Page 32, Section 144.190, Line 128, by inserting after all of said line the following:

“221.407. 1. The commission of any regional jail district may impose, by order, a sales tax in the amount of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent, or one-half of one percent on all retail sales made in such region which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525 for the purpose of providing jail services and court facilities and equipment for such region. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no order imposing a sales tax pursuant to this section shall be effective unless the commission submits to the voters of the district, on any election date authorized in chapter 115, a proposal to authorize the commission to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the regional jail district of ..... (counties’ names) impose a region-wide sales tax of ..... (insert amount) for the purpose of providing jail services and court facilities and equipment for the region?

☐ YES      ☐ NO

If you are in favor of the question, place an “X” in the box opposite “Yes”. If you are opposed to the question, place an “X” in the box opposite “No”.

If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of the proposal, then the order and any amendment to such order shall be in effect on the first day of the second quarter immediately following the election approving the proposal. If the proposal receives less than the required majority, the commission shall have no power to impose the sales tax authorized pursuant to this section unless and until the commission shall again have submitted another proposal to authorize the commission to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters of the district voting on such proposal; however, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last submission of a proposal pursuant to this section.

3. All revenue received by a district from the tax authorized pursuant to this section shall be deposited in a special trust fund and shall be used solely for providing jail services and court facilities and equipment for such district for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or terminated by any means, all funds remaining in the special trust fund shall be used solely for providing jail services and court facilities and equipment for the district. Any funds in such special trust fund which are not needed for current expenditures may be invested by the commission in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue pursuant to this section on behalf of any district, less one percent for cost of collection which shall be deposited in the state’s general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the “Regional Jail District Sales Tax Trust Fund”. The

moneys in the regional jail district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each district imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of each member county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the district which levied the tax. Such funds shall be deposited with the treasurer of each such district, and all expenditures of funds arising from the regional jail district sales tax trust fund shall be paid pursuant to an appropriation adopted by the commission and shall be approved by the commission. Expenditures may be made from the fund for any function authorized in the order adopted by the commission submitting the regional jail district tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such districts. If any district abolishes the tax, the commission shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director of revenue shall remit the balance in the account to the district and close the account of that district. The director of revenue shall notify each district in each instance of any amount refunded or any check redeemed from receipts due the district.

7. Except as provided in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

8. The provisions of this section shall expire September 30, [2015] **2027.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to House Committee Substitute for Senate Bill No. 584 Page 1, Line 9, by inserting immediately after said line the following:

"Further amend said bill, Page 8, Section 142.815, Lines 104-110, by deleting all of said lines and inserting in lieu thereof the following:

**"(9) Motor fuel delivered to any marina within this state that sells such fuel solely for use in any watercraft, as such term is defined in section 306.010, and not accessible to other motor vehicles, is exempt from the fuel tax imposed by this chapter. Any motor fuel distributor that delivers motor fuel to any marina in this state for use solely in any watercraft, as such term is defined in section 306.010, may claim the exemption provided in this subsection. Any motor fuel customer who purchases motor fuel for use in any watercraft, as such term is defined in section 306.010, at a location other than a marina within this state may claim the exemption provided in this subsection by filing a claim for refund of the fuel tax."**; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 584, Page 5, Section 136.300, Line 13, by inserting after all of said section and line the following:

**“137.133. In any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any correspondence by the assessor with a taxpayer requesting information from the taxpayer shall include the following statement in bold, fourteen point font: “Disclosure of information requested on this document is voluntary and not required by law. Any information disclosed may become public record.”. The provisions of this section shall not apply to requests for information required to be disclosed under sections 137.092 and 137.155.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 844**.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 844, Page 2, Section 288.500, Line 51, by deleting “[twenty] **ten**” and inserting in lieu thereof “twenty”; and

Further amend said section, Page 3, Line 52, by deleting “[forty] **sixty**” and inserting in lieu thereof “forty”; and

Further amend said section, Page 5, Line 143, by deleting all of said line and inserting in lieu thereof the following:

“at least twenty percent but not more than forty percent, with a”; and

Further amend said section, Page 6, Lines 186 and 187, be deleting said lines and inserting in lieu thereof the following:

**“the account of the participating employer under the plan.] Notwithstanding any other provision of this chapter, all benefits paid under a shared work plan which are chargeable to the participating employer or any other base period employer shall be charged to employers in the same manner as regular unemployment benefits are chargeable under chapter 288.**

18. An individual who has received all of the shared work benefits and”; and

Further amend said section and page, Line 191, by deleting “**18.**” and inserting in lieu thereof “**19.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 691**, entitled:

An Act to repeal sections 375.003 and 379.118, RSMo, and to enact in lieu thereof three new sections relating to certain personal lines policy provisions.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2** for **SCS** for **SB 777**, entitled:

An Act to repeal sections 137.100, 143.451, 144.030, 144.044, 144.083, 144.087, 546.902, and 578.120, RSMo, and to enact in lieu thereof fifteen new sections relating to business incentives, with penalty provisions and an emergency clause for certain sections.

With House Amendment Nos. 1 and 2.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 777, Pages 1-6, Sections 67.2050, 135.1670, and 137.100, Pages 23-24, Section 144.083, Pages 25-31, Section 144.810, and Page 32, Section 578.120, by striking all of said sections from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 777, Page 22, Section 144.044, Line 37, by inserting immediately after said line the following:

“144.049. 1. For purposes of this section, the following terms mean:

(1) “Clothing”, any article of wearing apparel, including footwear, intended to be worn on or about the human body. The term shall include but not be limited to cloth and other material used to make school uniforms or other school clothing. Items normally sold in pairs shall not be separated to qualify for the exemption. The term shall not include watches, watchbands, jewelry, handbags, handkerchiefs, umbrellas, scarves, ties, headbands, or belt buckles; and

(2) “Personal computers”, a laptop, desktop, or tower computer system which consists of a central processing unit, random access memory, a storage drive, a display monitor, and a keyboard and devices designed for use in conjunction with a personal computer, such as a disk drive, memory module, compact disk drive, daughterboard, [digitalizer] **digitizer**, microphone, modem, motherboard, mouse, multimedia speaker, printer, scanner, single-user hardware, single-user operating system, soundcard, or video card;

(3) “School supplies”, any item normally used by students in a standard classroom for educational purposes, including but not limited to textbooks, notebooks, paper, writing instruments, crayons, art supplies, rulers, book bags, backpacks, handheld calculators, chalk, maps, and globes. The term shall not include watches, radios, CD players, headphones, sporting equipment, portable or desktop telephones, copiers or other office equipment, furniture, or fixtures. School supplies shall also include computer software having a taxable value of three hundred fifty dollars or less **and any graphing calculator having**



**a taxable value of one hundred fifty dollars or less.**

2. In each year beginning on or after January 1, 2005, there is hereby specifically exempted from state sales tax law all retail sales of any article of clothing having a taxable value of one hundred dollars or less, all retail sales of school supplies not to exceed fifty dollars per purchase, all computer software with a taxable value of three hundred fifty dollars or less, **all graphing calculators having a taxable value of one hundred fifty dollars or less**, and all retail sales of personal computers or computer peripheral devices not to exceed three thousand five hundred dollars, during a three-day period beginning at 12:01 a.m. on the first Friday in August and ending at midnight on the Sunday following.

3. If the governing body of any political subdivision adopted an ordinance that applied to the 2004 sales tax holiday to prohibit the provisions of this section from allowing the sales tax holiday to apply to such political subdivision's local sales tax, then, notwithstanding any provision of a local ordinance to the contrary, the 2005 sales tax holiday shall not apply to such political subdivision's local sales tax. However, any such political subdivision may enact an ordinance to allow the 2005 sales tax holiday to apply to its local sales taxes. A political subdivision must notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any ordinance or order rescinding an ordinance or order to opt out.

4. This section shall not apply to any sales which take place within the Missouri state fairgrounds.

5. This section applies to sales of items bought for personal use only.

6. After the 2005 sales tax holiday, any political subdivision may, by adopting an ordinance or order, choose to prohibit future annual sales tax holidays from applying to its local sales tax. After opting out, the political subdivision may rescind the ordinance or order. The political subdivision must notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any ordinance or order rescinding an ordinance or order to opt out.

7. This section may not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 680**, entitled:

An Act to repeal sections 208.024 and 208.027, RSMo, and to enact in lieu thereof five new sections relating to public assistance benefits.

With House Amendment Nos. 1 and 2.

**HOUSE AMENDMENT NO. 1**

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 680, Page 6,

Section 208.247, Line 2, by inserting immediately after the first instance of the word “**guilty**” the following:

“**or nolo contendere**”; and

Further amend said bill, page and section, Lines 6 to 22, by deleting all of said lines and inserting in lieu thereof the following:

“(1) **Meets one of the following criteria:**

(a) **Is currently successfully participating in a substance abuse treatment program approved by the division of alcohol and drug abuse within the department of mental health; or**

(b) **Is currently accepted for treatment in and participating in a substance abuse treatment program approved by the division of alcohol and drug abuse, but is subject to a waiting list to receive available treatment, and the individual remains enrolled in the treatment program and enters the treatment program at the first available opportunity; or**

(c) **Has satisfactorily completed a substance abuse treatment program approved by the division of alcohol and drug abuse; or**

(d) **Is determined by a division of alcohol and drug abuse certified treatment provider not to need substance abuse treatment; and**

(2) **Is successfully complying with, or has already complied with, all obligations imposed by the court, the division of alcohol and drug abuse, and the division of probation and parole; and**

(3) **Does not plead guilty or nolo contendere to or is not found guilty of an additional controlled substance misdemeanor or felony offense after release from custody or, if not committed to custody, such person does not plead guilty or nolo contendere to or is not found guilty of an additional controlled substance misdemeanor or felony offense, within one year after the date of conviction. Such a plea or conviction within the first year after conviction shall immediately disqualify the person for the exemption; and**

(4) **Has demonstrated sobriety through voluntary urinalysis testing paid for by the participant.”; and**

Further amend said bill, page, and section, Line 31, by inserting immediately after the first instance of the word “**guilty**” the following:

“**or nolo contendere**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 680, Page 5, Section 208.027, Line 50, by inserting immediately after said line the following:

“**208.141. 1. The department of social services shall reimburse a hospital for prescribed medically necessary donor human breast milk provided to a MO HealthNet participant if:**

(1) **The participant is an infant under the age of three months;**

(2) **The participant is critically ill;**

- (3) The participant is in the neonatal intensive care unit of the hospital;
- (4) A physician orders the milk for the participant;
- (5) The department determines that the milk is medically necessary for the participant;
- (6) The parent or guardian signs and dates an informed consent form indicating the risks and benefits of using banked donor human milk; and
- (7) The milk is obtained from a donor human milk bank that meets the quality guidelines established by the department.

2. An electronic web-based prior authorization system using the best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need.

3. The department shall promulgate rules for the implementation of this section, including setting forth rules for the required documentation by the physician and the informed consent to be provided to and signed by the parent or guardian of the participant. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable, and if any of the powers vested with the general assembly under chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 655**, entitled:

An Act to repeal sections 67.281, 441.005, 441.500, 441.760, 441.770, 512.180, 516.350, 534.060, 534.350, 534.360, 534.380, 535.030, 535.110, 535.160, 535.170, 535.200, 535.210, and 569.130, RSMo, and to enact in lieu thereof eighteen new sections relating to property.

With House Amendment No. 1.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 655, Page 6, Section 534.380, Line 2, by deleting from said line the phrase “**by the Missouri Rules of Civil Procedure**” and inserting in lieu thereof the phrase “**in other civil cases**”; and

Further amend said bill, Section 535.110, Page 8, Line 2, by deleting from said line the phrase “**by the Missouri Rules of Civil Procedure**” and inserting in lieu thereof the phrase “**in other civil cases**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Senator Dixon moved that the Senate refuse to concur in **HCS** for **SB 584**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

### **HOUSE BILLS ON THIRD READING**

**HB 1506**, introduced by Representative Franklin, et al, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to rural regional development grants.

Was called from the Informal Calendar and taken up by Senator Brown.

Senator Lamping offered **SA 1**:

#### **SENATE AMENDMENT NO. 1**

Amend House Bill No. 1506, Page 1, In the Title, Lines 2-3 of the title, by striking “rural regional development grants” and inserting in lieu thereof the following: “programs administered by the department of economic development”; and

Further amend said bill, Page 3, Section 620.750, Line 64, by inserting after all of said line the following:

“620.1900. 1. **For projects authorized tax credits before August 28, 2014**, the department of economic development may charge a fee to the recipient of any tax credits issued by the department, in an amount up to two and one-half percent of the amount of tax credits issued. **For projects authorized tax credits on or after August 28, 2014, the department of economic development may charge a fee to the recipient of any tax credits issued by the department in an amount up to five percent of the amount of tax credits issued. The department shall not charge a fee in excess of two and one half percent of the amount of tax credits issued to the recipient of any tax credit for a project for which a written incentive proposal was offered by the department and accepted prior to August 28, 2014.** The fee shall be paid by the recipient upon the issuance of the tax credits. However, no fee shall be charged for the tax credits issued under section 135.460, or section 208.770, or under sections 32.100 to 32.125, if issued for community services, crime prevention, education, job training, or physical revitalization.

2. All fees received by the department of economic development under this section shall be deposited solely to the credit of the economic development advancement fund, created under subsection 3 of this section.

3. There is hereby created in the state treasury the “Economic Development Advancement Fund”, which shall consist of money collected under this section. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the administration of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. Such fund shall consist of any fees charged under subsection 1 of this section, any gifts, contributions, grants, or bequests received from federal, private, or other sources, fees or administrative charges from

private activity bond allocations, moneys transferred or paid to the department in return for goods or services provided by the department, and any appropriations to the fund.

5. At least fifty percent of the fees and other moneys deposited in the fund shall be appropriated for marketing, technical assistance, and training, contracts for specialized economic development services, and new initiatives and pilot programming to address economic trends. The remainder may be appropriated toward the costs of staffing and operating expenses for the program activities of the department of economic development, and for accountability functions.”; and

Further amend the title and enacting clause accordingly.

Senator Lamping moved that the above amendment be adopted, which motion failed.

On motion of Senator Brown, **HB 1506** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Emery—1

Absent—Senator Parson—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 1304**, with **SCS**, entitled:

An Act to repeal section 311.200, RSMo, and to enact in lieu thereof one new section relating to liquor licenses, with an effective date.

Was called from the Informal Calendar and taken up by Senator Schmitt.

**SCS** for **HCS** for **HB 1304**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1304

An Act to repeal sections 311.055 and 311.200, RSMo, and to enact in lieu thereof two new sections relating to intoxicating liquor, with an effective date for a certain section.

Was taken up.

Senator Schmitt moved that **SCS** for **HCS** for **HB 1304** be adopted, which motion prevailed.

On motion of Senator Schmitt, **SCS** for **HCS** for **HB 1304** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Emery—1

Absent—Senators

Keaveny      Parson—2

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Dixon moved that **HB 1883**, with **SS**, as amended (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SS** for **HB 1883**, as amended, was again taken up.

Senator Dempsey offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for House Bill No. 1883, Page 16, Section 33.150, Line 22, by inserting after all of said line the following:

“44.227. 1. There is hereby created a “Seismic Safety Commission”, which shall be domiciled in the department of public safety.

2. The commission shall consist of [seventeen] **ten** members, one who shall be a member of the senate appointed by the president pro tem of the senate, one who shall be a member of the house of representatives appointed by the speaker of the house of representatives, and [fifteen] **eight** members appointed by the governor, with the advice and consent of the senate, with no more than two from any one of the following professional areas: architecture, planning, fire protection, public utilities, electrical engineering, mechanical engineering, structural engineering, soils engineering, geology, seismology, local government, insurance,

business, the American Red Cross, public education and emergency management.

3. Commission members shall elect annually from its membership a chairman and vice chairman. A quorum shall consist of a majority of appointed members, but not less than [seven] **six** members, and may be met by electronic attendance and nonvoting participation of the staff of the legislative members of the commission. All commission members shall be residents of the state of Missouri and shall have reasonable knowledge of issues relating to earthquakes.

4. The term of office for each member of the commission appointed by the governor shall be four years[, except that of the initial appointments, seven members shall be appointed for a term of two years and eight members shall be appointed for a term of four years]. Any member may be removed from office by the governor without cause. Before the expiration of the term of a member appointed by the governor, the governor shall appoint a successor whose term begins on July first next following. A member is eligible for reappointment.

If there is a vacancy for any cause, the governor shall make an appointment to become effective immediately for the unexpired term.

5. Each member of the commission shall serve without compensation but shall receive fifty dollars for each day devoted to the affairs of the commission, plus actual and necessary expenses incurred in the discharge of his official duties.

6. The office of emergency management in the department of public safety shall provide to the commission all technical, clerical and other necessary support services.”; and

Further amend the title and enacting clause accordingly.

Senator Dempsey moved that the above amendment be adopted, which motion prevailed.

Senator Dixon moved that **SS** for **HB 1883**, as amended, be adopted, which motion prevailed.

Senator Dixon moved that **SS** for **HB 1883**, as amended, be read the 3rd time and passed and was recognized to close.

President Pro Tem Dempsey referred **SS** for **HB 1883**, as amended to the Committee on Governmental Accountability and Fiscal Oversight.

### **PRIVILEGED MOTIONS**

Senator Munzlinger moved that **SB 506**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SB 506**, as amended, entitled:

#### **HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 506**

An Act to repeal sections 144.010, 192.300, 262.900, 265.300, 267.565, 275.352, 277.020, 277.040, 281.065, 304.180, 340.381, 340.396, and 537.325, RSMo, and to enact in lieu thereof seventeen new sections relating to agriculture.

Was taken up.

Senator Munzlinger moved that **HCS** for **SB 506**, as amended, be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nieves
Pearce	Richard	Romine	Schaaf	Schaefer	Sifton	Silvey	Wallingford
Walsh	Wasson—26						

## NAYS—Senators—None

## Absent—Senators

Justus	Keaveny	Nasheed	Parson	Sater	Schmitt—6
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## Absent with leave—Senators—None

## Vacancies—2

On motion of Senator Munzlinger, **HCS** for **SB 506**, as amended, was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Pearce	Richard	Romine	Schaaf	Schaefer	Sifton	Silvey
Wallingford	Walsh	Wasson—27					

## NAYS—Senators—None

## Absent—Senators

Justus	Keaveny	Parson	Sater	Schmitt—5
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## Absent with leave—Senators—None

## Vacancies—2

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Curls moved that **SCS** for **SB 680**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SCS** for **SB 680**, entitled:



HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 680

An Act to repeal sections 208.024, and 208.027, RSMo, and to enact in lieu thereof five new sections relating to public assistance benefits.

Was taken up.

Senator Curls moved that **HCS** for **SCS** for **SB 680**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	LeVota	Libla	Munzlinger	Nasheed	Nieves
Pearce	Richard	Romine	Sater	Schaefer	Sifton	Silvey	Wallingford
Walsh	Wasson—26						

NAYS—Senators

Kraus	Lager	Lamping	Schaaf—4
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Absent—Senators

Parson	Schmitt—2
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Absent with leave—Senators—None

Vacancies—2

On motion of Senator Curls, **HCS** for **SCS** for **SB 680**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Pearce	Richard	Romine	Sater	Schaefer	Sifton	Silvey
Wallingford	Walsh	Wasson—27					

NAYS—Senators

Kraus	Lager	Schaaf—3
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Absent—Senators

Parson	Schmitt—2
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Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Curls, title to the bill was agreed to.

Senator Curls moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 896** and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 664**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to concur in **SS** for **HB 1707** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 584**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to concur in **SS** for **SCS** for **HCS** for **HBs 1665** and **1335** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 1831**, as amended. Representatives: Fitzpatrick, Bernskoetter, and Schupp.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House conferees on **CCR** for **SCS** for **HCS** for **HB 1831**, as amended, are allowed to exceed the differences for the sole purpose of adding provisions in Section 210.027.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 664**, as amended. Representatives: Miller, Phillips and Anders.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like

committee from the Senate on **HCS** for **SCS** for **SB 896**. Representatives: Engler, Austin and Wright.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 1231**, as amended. Representatives: Cox, Cornejo and Colona.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HB 1553**, as amended. Representatives: Dohrman, Allen and Colona.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 584**, as amended. Representatives: Burlison, Koenig and Carpenter.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House grants the Senate further conference on **SS** for **HCS** for **HB 1439**, as amended.

Also,

Mr. President: The Speaker of the House has reappointed the following committee to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 1439**, as amended. Representatives: Funderburk, Hicks and Frame.

### **PRIVILEGED MOTIONS**

Senator Kehoe moved that the Senate refuse to recede from its position on **SS** for **HB 1707** and grant the House a conference thereon, which motion prevailed.

Senator Schaefer moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HCS** for **HBs 1665** and **1335** and grant the House a conference thereon, which motion prevailed.

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 664**, as amended: Senators Brown, Romine, Sater, Sifton and Justus.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 584**, as amended: Senators Dixon, Kraus, Lager, Sifton and LeVota.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 896**, as amended: Senators Wallingford, Silvey, Schaaf, Keaveny and Nasheed.

President Pro Tem Dempsey re-appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 1439**, as amended: Senators Nieves, Munzlinger, Dixon, Justus and Holsman.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee

from the House on **SS** for **SCS** for **HCS** for **HBs 1665** and **1335**: Senators Schaefer, Dixon, Lager, Justus and Keaveny.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SS** for **HB 1707**: Senators Kehoe, Lager, Munzlinger, Sifton and Holsman.

### **PRIVILEGED MOTIONS**

Senator Schmitt moved that the conferees on **SCS** for **HCS** for **HB 1831**, as amended, be allowed to exceed the differences for the sole purpose of adding provisions in Section 210.027, which motion prevailed.

### **COMMUNICATIONS**

President Pro Tem Dempsey submitted the following:

May 15, 2014

Ms. Terry Spieler  
Secretary of the Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

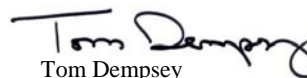
Dear Ms. Spieler:

Please be advised that I have appointed the following members to the Senate Select Committee on Capital Improvements:

Senator Kehoe, Chair  
Senator Walsh, Vice-Chair  
Senator Richard  
Senator Curls  
Senator Wallingford

If you have any questions, please do not hesitate to contact me.

Sincerely,



Tom Dempsey

### **RESOLUTIONS**

Senator LeVota offered Senate Resolution No. 2096, regarding the One Hundredth Anniversary of Northeast High School, Kansas City, which was adopted.

Senator Parson offered Senate Resolution No. 2097, regarding London Robinson, Warsaw, which was adopted.

Senator Romine offered Senate Resolution No. 2098, regarding Cherie Wisdom, which was adopted.

Senator Romine offered Senate Resolution No. 2099, regarding Vera Hayman, which was adopted.

Senator Romine offered Senate Resolution No. 3000, regarding Kathy Coggins, Park Hills, which was adopted.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

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SEVENTIETH DAY—FRIDAY, MAY 16, 2014

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FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt (In  
Fiscal Oversight)

SS for SB 538-Keaveny (In Fiscal Oversight)

SS for SCS for SB 850-Munzlinger (In  
Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 858-Kraus

2. SB 669-Schaaf

3. SB 821-Schaefer

4. SB 823-Dixon, et al, with SCS

5. SB 973-Brown

6. SB 815-Pearce, with SCS

7. SBs 798 & 514-Emery, with SCS

8. SB 865-Nieves

9. SB 619-Nieves, with SCS

10. SB 531-Nasheed

11. SB 820-Schaefer

HOUSE BILLS ON THIRD READING

HCS for HBs 1646 & 1515, with SCS (Silvey)

HB 1591-Brown and Higdon, with SCA 1  
(Nieves)

HCS for HB 1739 (Pearce)

HCS for HB 1612 (Dixon)

HB 1305-Phillips, et al, with SCS (Sater)

HCS for HB 1377 (Pearce)

HB 1713-Lauer, et al, with SCS  
(Dixon) (In Fiscal Oversight)

HCS for HJR 56, with SCS

(Wallingford) (In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 490-Lager and Kehoe, with SCS

SB 494-Pearce, with SS (pending)

SB 501-Keaveny  
 SB 518-Sater, with SCS, SA 2 & SA 1 to  
   SA 2 (pending)  
 SB 519-Sater, with SS & SA 1 (pending)  
 SS for SB 543-Munzlinger  
 SB 550-Sater, with SCS  
 SB 553-Emery, with SCS, SS for SCS & SA 1  
   (pending)  
 SB 555-Nasheed, with SS & SA 1 (pending)  
 SB 566-Sifton  
 SB 573-Munzlinger, with SCS  
 SB 578-Kraus  
 SB 589-Brown, with SCS, SA 2 & SA 1 to  
   SA 2 (pending)  
 SB 617-Parson, with SCS, SS for SCS & SA 1  
   (pending)  
 SB 634-Parson, with SCS  
 SB 641-Emery  
 SB 644-LeVota  
 SB 659-Wallingford, with SCS  
 SB 663-Munzlinger, with SCS  
 SB 671-Sater  
 SB 712-Walsh, with SCS & SS for SCS  
   (pending)  
 SB 724-Parson

SB 739-Romine, with SCS, SS for SCS, SA 1  
   & SA 1 to SA 1 (pending)  
 SB 755-Wallingford  
 SB 762-Schaefer, with SCS  
 SB 769-Pearce, with SCS  
 SB 770-Wallingford, with SCS  
 SBs 787 & 804-Justus, with SCS  
 SB 790-Dixon  
 SB 814-Brown  
 SB 819-Wallingford, with SCS  
 SB 830-Parson  
 SBs 836 & 800-Munzlinger, with SCS  
 SB 846-Richard  
 SB 848-LeVota, with SCS  
 SB 875-Sater, with SCS  
 SB 887-Schaefer  
 SB 888-Parson, with SCS  
 SB 912-Wasson and Justus, with SCS (pending)  
 SB 919-Justus  
 SB 966-Lager  
 SJR 25-Lager, with SS, SA 2 & SA 1 to SA 2  
   (pending)  
 SJR 26-Lager, with SS & SA 1 (pending)  
 SJR 34-Emery  
 SJR 42-Schmitt, with SS (pending)

#### HOUSE BILLS ON THIRD READING

HCS for HB 1044, with SCS (Lamping)  
 HB 1073-Dugger, et al (Kraus)  
 HCS for HB 1078, with SCS (Wallingford)  
 HB 1126-Dugger and Entlicher, with SCS &  
   SA 6 (pending) (Kraus)  
 HCS for HB 1156 (Pearce)  
 HB 1173-Burlison, et al, with SA 1 & SA 1  
   to SA 1 (pending) (Brown)  
 HCS for HBs 1179 & 1765, with SCS (Dixon)  
 HCS for HB 1189, with SCA 1 (Kehoe)  
 HCS for HB 1192, with SCS (Brown)  
 HCS for HB 1204, with SCS (Lager)  
 HCS for HB 1261 (Kraus)

HCS for HB 1295, with SCS (Kraus)  
 HCS for HB 1336, with SCS (Wasson)  
 HCS for HB 1374, with SCS (Cunningham)  
 HB 1388-Cornejo, et al, with SCS (Schaefer)  
 HB 1430-Jones (110), et al (Schaaf)  
 HCS for HB 1501, with SS & SA 6 (pending)  
   (Schmitt)  
 HCS for HB 1514, with SCS (Parson)  
 HB 1539-Kelley (127), et al, with SCS,  
   SS for SCS & SA 1 (pending) (Dixon)  
 HCS for HB 1557, with SS, SA 1 & SSA 1  
   for SA 1 (pending) (Munzlinger)  
 HB 1574-Hoskins (Dixon)

HB 1617-Rehder, et al, with SCS, SS#2 for SCS,  
SA 1 & SA 2 to SA 1 (pending) (Brown)  
HCS for HBs 1861 & 1864, with SCS  
(pending) (Munzlinger)  
SS for HB 1883-Flanigan and Allen, as  
amended (Dixon) (In Fiscal Oversight)  
HB 1906-Schieber, with SCS (Dixon)

HCS for HB 1918, with SA 1 (pending) (Lager)  
HCS for HB 1937, with SCS (Munzlinger)  
HB 2028-Peters, et al (Schmitt)  
HB 2079-Funderburk, with SS (pending) (Lager)  
HCS for HJR 47, with SA 1 & SA 1 to SA 1  
(pending) (Kraus)  
HJR 72-Richardson, et al (Silvey)

## CONSENT CALENDAR

### House Bills

Reported 4/15

HCS for HB 1510 (Brown)

## SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 526-Cunningham, with HA 1,  
HA 2, HA 3, as amended, HA 4, as  
amended, HA 5 & HA 6  
SB 607-Dixon, with HCS, as amended  
SB 655-Kraus, with HCS, as amended  
SB 660-Wallingford, with HCS, as amended  
SS for SB 691-Wasson, with HCS  
SB 727-Chappelle-Nadal, with HCS, as amended

SCS for SB 777-Nieves, with HCS#2, as  
amended  
SB 794-Chappelle-Nadal, with HCS  
SCS for SB 809-Wasson, with HCS  
SB 844-Dixon, with HA 1  
SB 859-Brown, with HCS  
SS for SB 884-Wallingford, with HCS  
SB 992-Dempsey, with HCS

## BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

### In Conference

SCS for SB 492-Pearce, with HCS, as amended  
(Senate adopted CCR and passed CCS)  
SB 584-Dixon, with HCS, as amended  
SCS for SB 612-Schaaf, with HA 1, HA 2,  
HA 3, HA 4 & HA 5 (Senate adopted  
CCR and passed CCS)  
SB 614-Dixon, with HCS, as amended  
SB 615-Dixon, with HCS, as amended  
(Senate adopted CCR and passed CCS)

SB 621-Dixon, with HCS, as amended  
(Senate adopted CCR#2 and passed CCS#2)  
SB 656-Kraus, with HCS, as amended  
(Senate adopted CCR and passed CCS)  
SB 662-Kraus, with HCS, as amended  
(Senate adopted CCR and passed CCS)  
SCS for SB 664-Brown, with HCS, as amended  
SCS for SB 672-Parson, with HCS, as amended  
(Senate adopted CCR#2 and passed CCS#2)

SB 693-Parson, with HCS, as amended  
(Senate adopted CCR#2 and passed  
CCS#2)  
SCS for SB 716-Brown, with HCS, as  
amended (Senate adopted CCR#2 and  
passed CCS#2)  
SCS for SB 729-Romine, with HA 1, HA 2,  
HA 3, as amended & HA 4  
SS#2 for SB 754-Sater, with HCS, as  
amended  
SCS for SB 852-Schmitt, with HCS, as  
amended  
SS for SB 860-Cunningham and Wasson,  
with HCS, as amended  
SCS for SB 896-Wallingford, with HCS, as  
amended  
HCS for HB 1231, with SS for SCS, as  
amended (Dixon)

HCS for HB 1439, with SS for SCS, as  
amended (Nieves) (Further conference  
granted)  
HB 1495-Torpey and Hicks, with SS#2 for  
SCS (Dixon)  
HB 1504-Zerr, with SS for SCS (Dempsey)  
(House adopted CCR and passed CCS)  
HB 1553-Dohrman, et al, with SCS, as  
amended (Pearce)  
HCS for HBs 1665 & 1335, with SS for SCS  
(Schaefer)  
HCS for HB 1685, with SS (Schaaf)  
(Further conference granted)  
HB 1707-Conway (Kehoe), with SS  
HCS for HB 1831, with SCS, as amended  
(Schmitt)

#### Requests to Recede or Grant Conference

SCS for SB 723-Parson, with HCS, as amended (Senate requests House recede & take up and pass bill)	HB 1468-Dohrman, et al, with SCS (Pearce) (Senate requests House recede & take up and pass bill)
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#### RESOLUTIONS

##### Reported from Committee

HCR 29-Scharnhorst (Schaefer)

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# Journal of the Senate

## SECOND REGULAR SESSION

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**SEVENTIETH DAY—FRIDAY, MAY 16, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“I expect to pass through this world but once. Any good, therefore, that I can do or any kindness that I can show to any fellow creature let me do it now. Let me not defer it nor neglect it, for I shall not pass this way again.” (French saying)

Wondrous God, we have been motivated this week, this whole session, to do what is required of us, realizing it must be done now. We acknowledge that our efforts, whether completed or not, come to an end this day. So as we complete this final day grant us wisdom and perseverance, energy and caring in our final eight hours together. For our work this session, we give You thanks for walking with us and guiding our efforts. We give You thanks for those who have served with us and those who have worked so faithfully for us to accomplish all that has been done here. For this we give You thanks and praise. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV, The Missouri Times and Columbia Daily Tribune were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery
Holsman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
LeVota	Libla	Munzlinger	Nasheed	Nieves	Pearce	Richard
Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey
Wallingford	Walsh	Wasson—31				

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Kraus offered Senate Resolution No. 3001, regarding Tammy Webber, which was adopted.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House conferees on **HCS** for **SS No. 2** for **SB 754**, as amended should be Representatives: Flanigan, Richardson and Kelly (45).

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SS** for **HB 1707**. Representatives: Phillips, Conway (104) and Walton Gray.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HBs 1665** and **1335**. Representatives: Jones (50), Elmer and Webber.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 869**, entitled:

An Act to repeal sections 21.771, 37.710, 210.027, 210.145, 210.152, 210.160, 210.183, 334.950, 453.073, and 453.074, RSMo, and to enact in lieu thereof ten new sections relating to children, with an existing penalty provision.

With House Amendment Nos. 1, 2, 3 and 4.

**HOUSE AMENDMENT NO. 1**

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 869, Pages 4 through 5, Section 210.027, Lines 1 through 38, by deleting all of said lines and inserting in lieu thereof the following:

“210.027. **1.** For child-care providers who receive state or federal funds for providing child-care [services in the home] **fee assistance**, either by direct payment or through reimbursement to a child-care beneficiary, the department of social services shall:

**(1) Establish publicly available website access to provider-specific information about any health and safety licensing or regulatory requirements for the providers, and including dates of inspections, history of violations, and compliance actions taken, as well as the consumer education information required under subdivision (12) of this section;**

**(2) Establish or designate one hotline for parents to submit complaints about child care providers;**

**(3) Be authorized to revoke the registration of a registered provider for due cause;**

**[(2)] (4) Require providers to be at least eighteen years of age;**

**[(3)] (5) Establish minimum requirements for building and physical premises to include:**

**(a) Compliance with state and local fire, health, and building codes, which shall include the ability to evacuate children in the case of an emergency; and**

**(b) Emergency preparedness and response planning.**

**Child care providers shall meet these minimum requirements prior to receiving federal assistance.** Where there are no local ordinances or regulations regarding smoke detectors, **the department shall** require providers, by rule, to install and maintain an adequate number of smoke detectors in the residence **or other building** where child care is provided;

**[(4)] (6) Require providers to be tested for tuberculosis on the schedule required for employees in licensed facilities;**

**[(5)] (7) Require providers to notify parents if the provider does not have immediate access to a telephone;**

**[(6)] (8) Make providers aware of local opportunities for training in first aid and child care;**

**(9) Promulgate rules and regulations to define pre-service training requirements for child care providers and employees pursuant to applicable federal laws and regulations;**

**(10) Establish procedures for conducting unscheduled onsite monitoring of child care providers prior to receiving state or federal funds for providing child care services either by direct payment or through reimbursement to a child care beneficiary, and annually thereafter;**

**(11) Require child care providers who receive assistance under applicable federal laws and regulations to report to the department any serious injuries or death of children occurring in child care; and**

**(12) With input from statewide stakeholders such as parents, child care providers or administrators, and system advocate group, establish a transparent system of quality indicators appropriate to the provider setting that shall provide parents with a way to differentiate between child care providers available in their communities as required by federal rules. The system shall describe the standards used to assess the quality of child care providers. The system shall indicate whether the provider meets Missouri's registration or licensing standards, is in compliance with applicable health and safety requirements, and the nature of any violations related to registration or licensing requirements. The system shall also indicate if the provider utilizes curricula and if the provider is in compliance with staff educational requirements. Such system of quality indicators established under this subdivision with the input from stakeholders shall be promulgated by rules. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void. This subdivision shall not be construed as authorizing the operation, establishment, maintenance, or mandating or offering of incentives to participate in a quality rating system under section 161.216.**

**2. No state agency shall enforce the provisions of this section until October 1, 2015, or six months after the implementation of federal regulations mandating such provisions, whichever is later.”; and**

Further amend said bill, Page 16, Section 210.183, Line 42, by inserting after all of said line the following:

“210.211. 1. It shall be unlawful for any person to establish, maintain or operate a child-care facility for children, or to advertise or hold himself or herself out as being able to perform any of the services as defined in section 210.201, without having in effect a written license granted by the department of health and senior services; except that nothing in sections 210.203 to 210.245 shall apply to:

(1) Any person who is caring for four or fewer children. For purposes of this subdivision, children who are related by blood, marriage or adoption to such person within the third degree shall not be considered in the total number of children being cared for;

(2) Any person who has been duly appointed by a court of competent jurisdiction the guardian of the person of the child or children, or the person who has legal custody of the child or children;

(3) Any person who receives free of charge, and not as a business, for periods not exceeding ninety consecutive days, as bona fide, occasional and personal guests the child or children of personal friends of such person, and who receives custody of no other unrelated child or children;

(4) Any graded boarding school, summer camp, hospital, sanitarium or home which is conducted in good faith primarily to provide education, recreation, medical treatment, or nursing or convalescent care for children;

(5) Any child-care facility maintained or operated under the exclusive control of a religious organization. When a nonreligious organization, having as its principal purpose the provision of child-care services, enters into an arrangement with a religious organization for the maintenance or operation of a child-care facility, the facility is not under the exclusive control of the religious organization;

(6) Any residential facility or day program licensed by the department of mental health pursuant to sections 630.705 to 630.760 which provides care, treatment and habilitation exclusively to children who have a primary diagnosis of mental disorder, mental illness, mental retardation or developmental disability, as defined in section 630.005; and

(7) Any nursery school.

2. Notwithstanding the provisions of subsection 1 of this section, no child-care facility shall be exempt from licensure if such facility receives any state or federal funds for providing care for children, except for federal funds for those programs which meet the requirements for participation in the Child and Adult Care Food Program pursuant to 42 U.S.C. 1766. Grants to parents for child care pursuant to sections 210.201 to 210.257 shall not be construed to be funds received by a person or facility listed in subdivisions (1) and (5) of subsection 1 of this section.

3. Any child care facility not exempt from licensure shall disclose the licensure status of the facility to the parents or guardians of children for which the facility provides care. No child care facility exempt from licensure shall represent to any parent or guardian of children for which the facility provides care that the facility is licensed when such facility is in fact not licensed.

**4. Any in-home licensed child care facility that is organized as a corporation, association, firm, partnership, proprietorship, limited liability company, or any other type of business entity in this state shall qualify for the exemption for related children for children who are related to the member of the corporation, association, firm, partnership, proprietorship, limited liability company, or other type of business entity who is responsible for the daily operation of the child care facility and who meets the requirements of the child care provider. If more than one member of the corporation, association, firm, partnership, proprietorship, limited liability company, or other type of business entity is responsible for the daily operation of the child care facility, the exemption for related children shall only be granted for children who are related to one of the members. All child care facilities under this subsection shall disclose the licensure status of the facility to the parents or guardians of children for which the facility provides care. A parent or guardian shall sign a written notice indicating he or she is aware of the licensure status of the facility. The facility shall keep a copy of this signed written notice on file. All child care facilities shall provide the parent or guardian enrolling a child in the facility with a written explanation of the disciplinary philosophy and policies of the child care facility.**

211.171. 1. The procedure to be followed at the hearing shall be determined by the juvenile court judge and may be as formal or informal as he or she considers desirable, consistent with constitutional and statutory requirements. The judge may take testimony and inquire into the habits, surroundings, conditions and tendencies of the child and the family to enable the court to render such order or judgment as will best promote the welfare of the child and carry out the objectives of this chapter.

2. The hearing may, in the discretion of the court, proceed in the absence of the child and may be adjourned from time to time.

3. The current foster parents of a child, or any preadoptive parent or relative currently providing care for the child, shall be provided with notice of, and an opportunity to be heard in, any hearing to be held with respect to the child, **and a foster parent shall have standing to participate in all court hearings pertaining to a child in their care.** [This subsection shall not be construed to require that any such foster parent, preadoptive parent or relative providing care for a child be made a party to the case solely on the basis of such notice and opportunity to be heard.]

4. All cases of children shall be heard separately from the trial of cases against adults.

5. Stenographic notes or an authorized recording of the hearing shall be required if the court so orders or, if requested by any party interested in the proceeding.

6. The general public shall be excluded and only such persons admitted as have a direct interest in the case or in the work of the court except in cases where the child is accused of conduct which, if committed by an adult, would be considered a class A or B felony; or for conduct which would be considered a class C felony, if the child has previously been formally adjudicated for the commission of two or more unrelated acts which would have been class A, B or C felonies, if committed by an adult.

7. The practice and procedure customary in proceedings in equity shall govern all proceedings in the juvenile court; except that, the court shall not grant a continuance in such proceedings absent compelling extenuating circumstances, and in such cases, the court shall make written findings on the record detailing the specific reasons for granting a continuance.

8. The court shall allow the victim of any offense to submit a written statement to the court. The court shall allow the victim to appear before the court personally or by counsel for the purpose of making a statement, unless the court finds that the presence of the victim would not serve justice. The statement shall relate solely to the facts of the case and any personal injuries or financial loss incurred by the victim. A member of the immediate family of the victim may appear personally or by counsel to make a statement if the victim has died or is otherwise unable to appear as a result of the offense committed by the child.”; and

Further amend said bill, Page 19, Section 453.074, Line 19, by inserting after all of said line the following:

“Section B. The repeal and reenactment of section 210.027 shall become effective upon the department of health and senior services providing notice to the revisor of statutes that the implementation of federal regulations mandating such provisions has occurred.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 869, Page 4, Section 37.710, Line 45, by inserting after all of said section and line the following:

“105.271. 1. [An] **A foster or** adoptive parent who is employed by the state of Missouri, its departments, agencies, or political subdivisions, may use his or her accrued sick leave, annual leave, or the same leave without pay granted to biological parents to take time off for purposes of arranging for the **foster or** adopted child’s placement or caring for the child after placement. The employer shall not penalize an employee for requesting or obtaining time off according to this section.

**2. The state of Missouri, its departments, and agencies shall, and political subdivisions may, provide for a leave sharing program to permit its employees to donate annual leave, overtime, or compensatory time to an employee who is arranging for a foster or adopted child’s placement or caring for the child after placement, which has caused or is likely to cause such employee to take leave without pay or to terminate employment. Such donated annual leave, overtime, or compensatory time may be transferable between employees in different departments, agencies, or political subdivisions of the state, with the agreement of the chief administrative officers of such departments, agencies, or political subdivisions.**

**3. Any donated annual leave, overtime, or compensatory time authorized under this section shall only be used by the recipient employee for purposes of arranging for the foster or adopted child’s placement or caring for the child after placement. Nothing in this section shall be construed as prohibiting a leave sharing program for other purposes.**

**4. All forms of paid leave available for use by the recipient employee shall be used prior to using donated annual leave, overtime, or compensatory time.**

**5. All donated annual leave, overtime, or compensatory time shall be given voluntarily. No employee shall be coerced, threatened, intimidated, or financially induced into donating annual leave, overtime, or compensatory time for purposes of the leave sharing program.**

**6. For purposes of this section, the phrase “foster or adoptive parent” refers to both those pursuing to foster or adopt a child and those who have a foster or adopted child placed in the home. The phrase “for purposes of arranging for the foster or adopted child’s placement or caring for the child after placement” includes, but is not limited to:**

**(1) Appointments with state officials, child placing agencies, social workers, health professionals, or attorneys;**

**(2) Court proceedings;**

**(3) Required travel;**

**(4) Training and licensure as a foster parent;**

**(5) Any periods of time during which foster or adoptive parents are ordered or required by the state, a child placing agency, or by a court to take time off from work to care for the foster or adopted child; or**

**(6) Any other activities necessary to allow the foster care or adoption to proceed.**

**7. A stepparent, as defined in section 453.015, who is employed by the state of Missouri, its departments, agencies, or political subdivisions, may use his or her accrued sick leave, annual leave or the same leave without pay granted to biological parents to take time off to care for his or her stepchild. The employer shall not penalize an employee for requesting or obtaining time off according to this section.**

**[3.] 8. The leave authorized by this section may be requested by the employee only if the employee is the person who is primarily responsible for furnishing the care and nurture of the child.**

**9. The commissioner of administration may promulgate rules as necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 869, Page 17, Section 334.950, Line 43, by inserting after all of said line the following:

**“6. The department shall establish maximum reimbursement rates for charges submitted under this section, which shall reflect the reasonable cost of providing the forensic exam.**

**7. The department shall only reimburse providers for forensic evaluations and case reviews. The department shall not reimburse providers for medical procedures, facility fees, supplies or laboratory/radiology tests.**

**8. In order for the department to provide reimbursement, the child shall be the subject of a child abuse investigation or reported to the children’s division as a result of the examination.**

**9. A minor may consent to examination under this section. Such consent is not subject to disaffirmance because of the individual's status as a minor, and the consent of a parent or guardian of the minor is not required for such examination.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 869, Page 4, Section 37.710, Line 45, by inserting after all of said section and line the following:

“208.631. 1. Notwithstanding any other provision of law to the contrary, the MO HealthNet division shall establish a program to pay for health care for uninsured children. Coverage pursuant to sections 208.631 to [208.659] **208.658** is subject to appropriation. The provisions of sections 208.631 to [208.569] **208.658**, health care for uninsured children, shall be void and of no effect if there are no funds of the United States appropriated by Congress to be provided to the state on the basis of a state plan approved by the federal government under the federal Social Security Act. If funds are appropriated by the United States Congress, the department of social services is authorized to manage the state children's health insurance program (SCHIP) allotment in order to ensure that the state receives maximum federal financial participation. Children in households with incomes up to one hundred fifty percent of the federal poverty level may meet all Title XIX program guidelines as required by the Centers for Medicare and Medicaid Services. Children in households with incomes of one hundred fifty percent to three hundred percent of the federal poverty level shall continue to be eligible as they were and receive services as they did on June 30, 2007, unless changed by the Missouri general assembly.

2. For the purposes of sections 208.631 to [208.659] **208.658**, “children” are persons up to nineteen years of age. “Uninsured children” are persons up to nineteen years of age who are emancipated and do not have access to affordable employer-subsidized health care insurance or other health care coverage or persons whose parent or guardian have not had access to affordable employer-subsidized health care insurance or other health care coverage for their children [for six months] prior to application, are residents of the state of Missouri, and have parents or guardians who meet the requirements in section 208.636. A child who is eligible for MO HealthNet benefits as authorized in section 208.151 is not uninsured for the purposes of sections 208.631 to [208.659] **208.658**.

208.636. Parents and guardians of uninsured children eligible for the program established in sections 208.631 to [208.657] **208.658** shall:

(1) Furnish to the department of social services the uninsured child's Social Security number or numbers, if the uninsured child has more than one such number;

(2) Cooperate with the department of social services in identifying and providing information to assist the state in pursuing any third-party insurance carrier who may be liable to pay for health care;

(3) Cooperate with the department of social services, division of child support enforcement in establishing paternity and in obtaining support payments, including medical support; **and**

(4) Demonstrate upon request their child's participation in wellness programs including immunizations and a periodic physical examination. This subdivision shall not apply to any child whose parent or legal guardian objects in writing to such wellness programs including immunizations and an annual physical



examination because of religious beliefs or medical contraindications[; and

(5) Demonstrate annually that their total net worth does not exceed two hundred fifty thousand dollars in total value].

208.640. 1. Parents and guardians of uninsured children with incomes of more than one hundred fifty but less than three hundred percent of the federal poverty level who do not have access to affordable employer-sponsored health care insurance or other affordable health care coverage may obtain coverage for their children under this section. Health insurance plans that do not cover an eligible child's preexisting condition shall not be considered affordable employer-sponsored health care insurance or other affordable health care coverage. For the purposes of sections 208.631 to [208.659] **208.658**, "affordable employer-sponsored health care insurance or other affordable health care coverage" refers to health insurance requiring a monthly premium of:

(1) Three percent of one hundred fifty percent of the federal poverty level for a family of three for families with a gross income of more than one hundred fifty and up to one hundred eighty-five percent of the federal poverty level for a family of three;

(2) Four percent of one hundred eighty-five percent of the federal poverty level for a family of three for a family with a gross income of more than one hundred eighty-five and up to two hundred twenty-five percent of the federal poverty level;

(3) Five percent of two hundred twenty-five percent of the federal poverty level for a family of three for a family with a gross income of more than two hundred twenty-five but less than three hundred percent of the federal poverty level.

The parents and guardians of eligible uninsured children pursuant to this section are responsible for a monthly premium as required by annual state appropriation; provided that the total aggregate cost sharing for a family covered by these sections shall not exceed five percent of such family's income for the years involved. No co-payments or other cost sharing is permitted with respect to benefits for well-baby and well-child care including age-appropriate immunizations. Cost-sharing provisions for their children under sections 208.631 to [208.659] **208.658** shall not exceed the limits established by 42 U.S.C. Section 1397cc(e). If a child has exceeded the annual coverage limits for all health care services, the child is not considered insured and does not have access to affordable health insurance within the meaning of this section.

2. The department of social services shall study the expansion of a presumptive eligibility process for children for medical assistance benefits.

208.643. 1. The department of social services shall implement policies establishing a program to pay for health care for uninsured children by rules promulgated pursuant to chapter 536, either statewide or in certain geographic areas, subject to obtaining necessary federal approval and appropriation authority. The rules may provide for a health care services package that includes all medical services covered by section 208.152, except nonemergency transportation.

2. Available income shall be determined by the department of social services by rule, which shall comply with federal laws and regulations relating to the state's eligibility to receive federal funds to implement the insurance program established in sections 208.631 to [208.657] **208.658**.

208.646. There shall be a thirty-day waiting period after enrollment for uninsured children in families with an income of more than two hundred twenty-five percent of the federal poverty level before the child becomes eligible for insurance under the provisions of sections 208.631 to [208.660] **208.658**. If the parent or guardian with an income of more than two hundred twenty-five percent of the federal poverty level fails to meet the co-payment or premium requirements, the child shall not be eligible for coverage under sections 208.631 to [208.660] **208.658** for [six months] **ninety days** after the department provides notice of such failure to the parent or guardian.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report No. 2 on **SS** for **HCS** for **HB 1685** and has taken up and passed **CCS No. 2** for **SS** for **HCS** for **HB 1685**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HB 1231**, as amended, and has taken up and passed **CCS** for **SS** for **SCS** for **HCS** for **HB 1231**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 1831**, as amended, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 1831**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HB 1553**, as amended, and has taken up and passed **CCS** for **SCS** for **HB 1553**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **HB 1707** and has taken up and passed **CCS** for **SS** for **HB 1707**, as amended by **HA 1**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HBs 1665** and **1335** and has taken up and passed **CCS** for **SS** for **SCS** for **HCS** for **HBs 1665** and **1335**.

### **REPORTS OF STANDING COMMITTEES**

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was

referred **SS** for **HB 1883**, as amended, begs leave to report that it has considered the same and recommends that the bill do pass.

### PRIVILEGED MOTIONS

Senator Dixon, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 584**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 584

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 584, with House Amendment Nos. 1, 2, 3, and 4, House Amendment No. 1 to House Amendment No. 5, and House Amendment No. 5, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 584, as amended;
2. That the Senate recede from its position on Senate Bill No. 584;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584 be Third Read and Finally Passed.

#### FOR THE SENATE:

/s/ Bob Dixon

/s/ Will Kraus

/s/ Brad Lager

Scott Sifton

Paul LeVota

#### FOR THE HOUSE:

/s/ Eric Burlison

/s/ Andrew Koenig

Jon Carpenter

Senator Dixon moved that the above conference committee report be adopted, which motion prevailed by the following vote:

#### YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Holsman	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—25

#### NAYS—Senators

Chappelle-Nadal	Curls	Emery	Justus	Keaveny	LeVota—6
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Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

Senator Kraus assumed the Chair.

On motion of Senator Dixon, **CCS** for **HCS** for **SB 584**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 584

An Act to repeal sections 136.300, 142.815, 143.221, 143.451, 144.010, 144.018, 144.020, 144.030, 144.044, 144.080, 144.190, and 221.407, RSMo, and to enact in lieu thereof fifteen new sections relating to taxation, with an existing penalty provision.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Holsman	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—24

NAYS—Senators

Chappelle-Nadal	Curls	Emery	Justus	Keaveny	LeVota	Walsh—7
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Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Brown, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 664**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 664

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 664, with House Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 664, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 664;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 664 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dan Brown

/s/ Gary Romine

/s/ David Sater

Scott Sifton

/s/ Jolie Justus

FOR THE HOUSE:

/s/ Rocky Miller

/s/ Don Phillips

/s/ Ira Anders

Senator Brown moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Justus	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves	Pearce	Richard
Romine	Sater	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	LeVota	Sifton	Walsh—7
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Absent—Senator Schaaf—1

Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Brown, **CCS** for **HCS** for **SCS** for **SB 664**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 664

An Act to repeal sections 260.273, 643.055, and 644.145, RSMo, and to enact in lieu thereof five new sections relating to natural resources.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Justus	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves	Pearce	Richard
Romine	Sater	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	LeVota	Sifton	Walsh—7
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Absent—Senator Schaaf—1

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Photographers from MO Digital News were given permission to take pictures in the Senate Chamber.

Senator Justus assumed the Chair.

Senator Sater, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS No. 2** for **SB 754**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE NO. 2 FOR  
SENATE BILL NO. 754

The Conference Committee appointed on House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 754, with House Amendment Nos. 1, 2, 3, 4, 5, 6, and 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 754, as amended;
2. That the Senate recede from its position on Senate Substitute No. 2 for Senate Bill No. 754;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 754 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Sater

/s/ Dan Brown

/s/ Rob Schaaf

/s/ Jolie Justus

/s/ Gina Walsh

FOR THE HOUSE:

/s/ Thomas Flanigan

/s/ Todd Richardson

/s/ Chris Kelly

Senator Sater moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla

Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Sater, **CCS** for **HCS** for **SS No. 2** for **SB 754**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE NO. 2 FOR  
SENATE BILL NO. 754

An Act to repeal sections 105.711, 174.335, 195.070, 208.631, 208.636, 208.640, 208.643, 208.646, 208.790, 208.798, 334.035, 334.735, 338.010, 338.059, and 338.220, RSMo, and to enact in lieu thereof twenty-seven new sections relating to health care.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schmitt, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 852**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 852

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 852, with House Amendment Nos. 1, 2, 3, 4, 5, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6 as amended, House Amendment No. 7, and House Substitute Amendment No. 1 for House Amendment No. 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 852, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 852;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 852 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Eric Schmitt

/s/ Bob Dixon

/s/ Ryan Silvey

/s/ S. Kiki Curls

/s/ Joseph P. Keaveny

FOR THE HOUSE:

/s/ Shawn Rhoads

/s/ Dave Hinson

/s/ John Rizzo

Senator Schmitt moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Schmitt, **CCS** for **HCS** for **SCS** for **SB 852**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 852

An Act to repeal sections 84.340, 105.935, 191.630, 191.631, 192.800, 192.802, 192.804, 192.806,



192.808, 287.243, 300.320, 334.950 and 571.030, RSMo, and to enact in lieu thereof ten new sections relating to public safety, with penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Wasson, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SB 860**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE BILL NO. 860

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 860, with House Amendment Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 860, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 860;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 860 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jay Wasson

FOR THE HOUSE:

/s/ Sandy Crawford

/s/ Will Kraus

/s/ John Diehl

/s/ Wayne Wallingford

/s/ Jon Carpenter

/s/ Paul LeVota

Scott Sifton

Senator Wasson moved that the above conference committee report be adopted.

Photographers from the Daily Star Journal were given permission to take pictures in the Senate Chamber.

At the request of Senator Wasson, the motion to adopt the Conference Committee Report was withdrawn, which placed the bill back on the Calendar.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 642**.

With House Amendment No. 1.

### HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 642, Page 1, in the Title, Line 3, by deleting the words “surface mining” and inserting in lieu thereof the words “natural resources”; and

Further amend said bill and page, Section A, Line 3, by inserting after all of said section and line the following:

“260.273. 1. Any person purchasing a new tire may present to the seller the used tire or remains of such used tire for which the new tire purchased is to replace.

2. A fee for each new tire sold at retail shall be imposed on any person engaging in the business of making retail sales of new tires within this state. The fee shall be charged by the retailer to the person who purchases a tire for use and not for resale. Such fee shall be imposed at the rate of fifty cents for each new tire sold. Such fee shall be added to the total cost to the purchaser at retail after all applicable sales taxes on the tires have been computed. The fee imposed, less six percent of fees collected, which shall be retained by the tire retailer as collection costs, shall be paid to the department of revenue in the form and manner required by the department of revenue and shall include the total number of new tires sold during the preceding month. The department of revenue shall promulgate rules and regulations necessary to administer the fee collection and enforcement. The terms “sold at retail” and “retail sales” do not include the sale of new tires to a person solely for the purpose of resale, if the subsequent retail sale in this state is to the ultimate consumer and is subject to the fee.

3. The department of revenue shall administer, collect and enforce the fee authorized pursuant to this section pursuant to the same procedures used in the administration, collection and enforcement of the general state sales and use tax imposed pursuant to chapter 144 except as provided in this section. The

proceeds of the new tire fee, less four percent of the proceeds, which shall be retained by the department of revenue as collection costs, shall be transferred by the department of revenue into an appropriate subaccount of the solid waste management fund, created pursuant to section 260.330.

4. Up to five percent of the revenue available may be allocated, upon appropriation, to the department of natural resources to be used cooperatively with the department of elementary and secondary education for the purposes of developing environmental educational materials, programs, and curriculum that assist in the department's implementation of sections 260.200 to 260.345.

5. Up to fifty percent of the moneys received pursuant to this section may, upon appropriation, be used to administer the programs imposed by this section. Up to forty-five percent of the moneys received under this section may, upon appropriation, be used for the grants authorized in subdivision (2) of subsection 6 of this section. All remaining moneys shall be allocated, upon appropriation, for the projects authorized in section 260.276, except that any unencumbered moneys may be used for public health, environmental, and safety projects in response to environmental or public health emergencies and threats as determined by the director.

6. The department shall promulgate, by rule, a statewide plan for the use of moneys received pursuant to this section to accomplish the following:

(1) Removal of [waste] **scrap** tires from illegal tire dumps;

(2) Providing grants to persons that will use products derived from [waste] **scrap** tires, or [used waste] **use scrap** tires as a fuel or fuel supplement; and

(3) Resource recovery activities conducted by the department pursuant to section 260.276.

7. The fee imposed in subsection 2 of this section shall begin the first day of the month which falls at least thirty days but no more than sixty days immediately following August 28, 2005, and shall terminate January 1, [2015] **2020**.

260.279. In letting contracts for the performance of any job or service for the removal or clean up of [waste] **scrap** tires under this chapter, the department of natural resources shall, in addition to the requirements of sections 34.073 and 34.076 and any other points awarded during the evaluation process, give to any vendor that meets one or more of the following factors a five percent preference and ten bonus points for each factor met:

(1) The bid is submitted by a vendor that has resided or maintained its headquarters or principal place of business in Missouri continuously for the two years immediately preceding the date on which the bid is submitted;

(2) The bid is submitted by a nonresident corporation vendor that has an affiliate or subsidiary that employs at least twenty state residents and has maintained its headquarters or principal place of business in Missouri continuously for the two years immediately preceding the date on which the bid is submitted;

(3) The bid is submitted by a vendor that resides or maintains its headquarters or principal place of business in Missouri and, for the purposes of completing the bid project and continuously over the entire term of the project, an average of at least seventy-five percent of such vendor's employees are Missouri residents who have resided in the state continuously for at least two years immediately preceding the date on which the bid is submitted. Such vendor must certify the residency requirements of this subdivision and

submit a written claim for preference at the time the bid is submitted;

(4) The bid is submitted by a nonresident vendor that has an affiliate or subsidiary that employs at least twenty state residents and has maintained its headquarters or principal place of business in Missouri and, for the purposes of completing the bid project and continuously over the entire term of the project, an average of at least seventy-five percent of such vendor's employees are Missouri residents who have resided in the state continuously for at least two years immediately preceding the date on which the bid is submitted. Such vendor must certify the residency requirements of this section and submit a written claim for preference at the time the bid is submitted;

(5) The bid is submitted by any vendor that provides written certification that the end use of the tires collected during the project will be for fuel purposes or for the manufacture of a useable good or product. For the purposes of this section, the landfilling of [waste] **scrap** tires, [waste] **scrap** tire chips, or [waste] **scrap** tire shreds in any manner, including landfill cover, shall not permit the vendor a preference.

260.355. Exempted from the provisions of sections 260.350 to 260.480 are:

(1) Radioactive wastes regulated under section 2011, et seq., of title 42 of United States Code;

(2) Emissions to the air subject to regulation of and which are regulated by the Missouri air conservation commission pursuant to chapter 643;

(3) Discharges to the waters of this state pursuant to a permit issued by the Missouri clean water commission pursuant to chapter 204;

(4) Fluids injected or returned into subsurface formations in connection with oil or gas operations regulated by the Missouri oil and gas council pursuant to chapter 259;

(5) Mining wastes used in reclamation of mined lands pursuant to a permit issued by the Missouri [land reclamation] **mining** commission pursuant to chapter 444.

260.380. 1. After six months from the effective date of the standards, rules and regulations adopted by the commission pursuant to section 260.370, hazardous waste generators located in Missouri shall:

(1) Promptly file and maintain with the department, on registration forms it provides for this purpose, information on hazardous waste generation and management as specified by rules and regulations. Hazardous waste generators shall pay a one hundred dollar registration fee upon initial registration, and a one hundred dollar registration renewal fee annually thereafter to maintain an active registration. Such fees shall be deposited in the hazardous waste fund created in section 260.391;

(2) Containerize and label all hazardous wastes as specified by standards, rules and regulations;

(3) Segregate all hazardous wastes from all nonhazardous wastes and from noncompatible wastes, materials and other potential hazards as specified by standards, rules and regulations;

(4) Provide safe storage and handling, including spill protection, as specified by standards, rules and regulations, for all hazardous wastes from the time of their generation to the time of their removal from the site of generation;

(5) Unless provided otherwise in the rules and regulations, utilize only a hazardous waste transporter holding a license pursuant to sections 260.350 to 260.430 for the removal of all hazardous wastes from the premises where they were generated;

(6) Unless provided otherwise in the rules and regulations, provide a separate manifest to the transporter for each load of hazardous waste transported from the premises where it was generated. The generator shall specify the destination of such load on the manifest. The manner in which the manifest shall be completed, signed and filed with the department shall be in accordance with rules and regulations;

(7) Utilize for treatment, resource recovery, disposal or storage of all hazardous wastes, only a hazardous waste facility authorized to operate pursuant to sections 260.350 to 260.430 or the federal Resource Conservation and Recovery Act, or a state hazardous waste management program authorized pursuant to the federal Resource Conservation and Recovery Act, or any facility exempted from the permit required pursuant to section 260.395;

(8) Collect and maintain such records, perform such monitoring or analyses, and submit such reports on any hazardous waste generated, its transportation and final disposition, as specified in sections 260.350 to 260.430 and rules and regulations adopted pursuant to sections 260.350 to 260.430;

(9) Make available to the department upon request samples of waste and all records relating to hazardous waste generation and management for inspection and copying and allow the department to make unhampered inspections at any reasonable time of hazardous waste generation and management facilities located on the generator's property and hazardous waste generation and management practices carried out on the generator's property;

(10) (a) Pay annually, on or before January first of each year, effective January 1, 1982, a fee to the state of Missouri to be placed in the hazardous waste fund. The fee shall be five dollars per ton or portion thereof of hazardous waste registered with the department as specified in subdivision (1) of this subsection for the twelve-month period ending June thirtieth of the previous year. However, the fee shall not exceed fifty-two thousand dollars per generator site per year nor be less than one hundred fifty dollars per generator site per year.

(b) All moneys payable pursuant to the provisions of this subdivision shall be promptly transmitted to the department of revenue, which shall deposit the same in the state treasury to the credit of the hazardous waste fund created in section 260.391.

(c) The hazardous waste management commission shall establish and submit to the department of revenue procedures relating to the collection of the fees authorized by this subdivision. Such procedures shall include, but not be limited to, necessary records identifying the quantities of hazardous waste registered, the form and submission of reports to accompany the payment of fees, the time and manner of payment of fees, which shall not be more often than quarterly.

(d) **Notwithstanding any statutory fee amounts or maximums to the contrary**, the director of the department of natural resources may conduct a comprehensive review [of] **and propose changes to** the fee structure set forth in this section. The comprehensive review shall include stakeholder meetings in order to solicit stakeholder input from each of the following groups: cement kiln representatives, chemical companies, large and small hazardous waste generators, and any other interested parties. Upon completion of the comprehensive review, the department shall submit a proposed [changes to the] fee structure with stakeholder agreement to the hazardous waste management commission. The commission shall[, upon receiving the department's recommendations,] review such recommendations at the forthcoming regular or special meeting, **but shall not vote on the fee structure until a subsequent meeting**. [The commission shall not take a vote on the fee structure until the following regular meeting.] If the commission approves,

by vote of two-thirds majority **or five of seven commissioners**, the [hazardous waste] fee structure recommendations, the commission shall [promulgate by regulation and publish the recommended fee structure no later than October first of the same year. The commission shall] **authorize the department to file a notice of proposed rulemaking containing the recommended fee structure, and after considering public comments may authorize the department to** file the order of rulemaking for such rule with the joint committee on administrative rules pursuant to sections 536.021 and 536.024 no later than December first of the same year. If such rules are not disapproved by the general assembly in the manner set out below, they shall take effect on January first of the [next odd-numbered] **following calendar** year and the fee structure set out in this section shall expire upon the effective date of the commission-adopted fee structure, contrary to subsection 4 of this section. Any regulation promulgated under this subsection shall be deemed to be beyond the scope and authority provided in this subsection, or detrimental to permit applicants, if the general assembly, within the first sixty calendar days of the regular session immediately following the [promulgation] **filing** of such regulation[, by concurrent resolution, shall disapprove the fee structure contained in such regulation] **disapproves the regulation by concurrent resolution**. If the general assembly so disapproves any regulation [promulgated] **filed** under this subsection, [the hazardous waste management commission shall continue to use the fee structure set forth in the most recent preceding regulation promulgated under this subsection.] **the department and the commission shall not implement the proposed fee structure and shall continue to use the previous fee structure. The authority of the commission to further revise the fee structure as provided by** this subsection shall expire on August 28, [2023] **2024**.

2. Missouri treatment, storage, or disposal facilities shall pay annually, on or before January first of each year, a fee to the department equal to two dollars per ton or portion thereof for all hazardous waste received from outside the state. This fee shall be based on the hazardous waste received for the twelve-month period ending June thirtieth of the previous year.

3. Exempted from the requirements of this section are individual householders and farmers who generate only small quantities of hazardous waste and any person the commission determines generates only small quantities of hazardous waste on an infrequent basis, except that:

(1) Householders, farmers and exempted persons shall manage all hazardous wastes they may generate in a manner so as not to adversely affect the health of humans, or pose a threat to the environment, or create a public nuisance; and

(2) The department may determine that a specific quantity of a specific hazardous waste requires special management. Upon such determination and after public notice by press release or advertisement thereof, including instructions for handling and delivery, generators exempted pursuant to this subsection shall deliver, but without a manifest or the requirement to use a licensed hazardous waste transporter, such waste to:

(a) Any storage, treatment or disposal site authorized to operate pursuant to sections 260.350 to 260.430 or the federal Resource Conservation and Recovery Act, or a state hazardous waste management program authorized pursuant to the federal Resource Conservation and Recovery Act which the department designates for this purpose; or

(b) A collection station or vehicle which the department may arrange for and designate for this purpose.

4. Failure to pay the fee, or any portion thereof, prescribed in this section by the due date shall result in

the imposition of a penalty equal to fifteen percent of the original fee. The fee prescribed in this section shall expire December 31, 2018, except that the department shall levy and collect this fee for any hazardous waste generated prior to such date and reported to the department.

260.392. 1. As used in sections 260.392 to 260.399, the following terms mean:

(1) “Cask”, all the components and systems associated with the container in which spent fuel, high-level radioactive waste, highway route controlled quantity, or transuranic radioactive waste are stored;

(2) “High-level radioactive waste”, the highly radioactive material resulting from the reprocessing of spent nuclear fuel including liquid waste produced directly in reprocessing and any solid material derived from such liquid waste that contains fission products in sufficient concentrations, and other highly radioactive material that the United States Nuclear Regulatory Commission has determined to be high-level radioactive waste requiring permanent isolation;

(3) “Highway route controlled quantity”, as defined in 49 CFR Part 173.403, as amended, a quantity of radioactive material within a single package. Highway route controlled quantity shipments of thirty miles or less within the state are exempt from the provisions of this section;

(4) “Low-level radioactive waste”, any radioactive waste not classified as high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel by the United States Nuclear Regulatory Commission, consistent with existing law. Shipment of all sealed sources meeting the definition of low-level radioactive waste, shipments of low-level radioactive waste that are within a radius of no more than fifty miles from the point of origin, and all naturally occurring radioactive material given written approval for landfill disposal by the Missouri department of natural resources under 10 CSR 80-3.010 are exempt from the provisions of this section. Any low-level radioactive waste that has a radioactive half-life equal to or less than one hundred twenty days is exempt from the provisions of this section;

(5) “Shipper”, the generator, owner, or company contracting for transportation by truck or rail of the spent fuel, high-level radioactive waste, highway route controlled quantity shipments, transuranic radioactive waste, or low-level radioactive waste;

(6) “Spent nuclear fuel”, fuel that has been withdrawn from a nuclear reactor following irradiation, the constituent elements of which have not been separated by reprocessing;

(7) “State-funded institutions of higher education”, any campus of any university within the state of Missouri that receives state funding and has a nuclear research reactor;

(8) “Transuranic radioactive waste”, defined in 40 CFR Part 191.02, as amended, as waste containing more than one hundred nanocuries of alpha-emitting transuranic isotopes with half-lives greater than twenty years, per gram of waste. For the purposes of this section, transuranic waste shall not include:

(a) High-level radioactive wastes;

(b) Any waste determined by the Environmental Protection Agency with the concurrence of the Environmental Protection Agency administrator that does not need the degree of isolation required by this section; or

(c) Any waste that the United States Nuclear Regulatory Commission has approved for disposal on a case-by-case basis in accordance with 10 CFR Part 61, as amended.

2. Any shipper that ships high-level radioactive waste, transuranic radioactive waste, highway route

controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state shall be subject to the fees established in this subsection, provided that no state-funded institution of higher education that ships nuclear waste shall pay any such fee. These higher education institutions shall reimburse the Missouri state highway patrol directly for all costs related to shipment escorts. The fees for all other shipments shall be:

(1) One thousand eight hundred dollars for each truck transporting through or within the state high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel or highway route controlled quantity shipments. All truck shipments of high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel, or highway route controlled quantity shipments are subject to a surcharge of twenty-five dollars per mile for every mile over two hundred miles traveled within the state;

(2) One thousand three hundred dollars for the first cask and one hundred twenty-five dollars for each additional cask for each rail shipment through or within the state of high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel;

(3) One hundred twenty-five dollars for each truck or train transporting low-level radioactive waste through or within the state.

The department of natural resources may accept an annual shipment fee as negotiated with a shipper or accept payment per shipment.

3. All revenue generated from the fees established in subsection 2 of this section shall be deposited into the environmental radiation monitoring fund established in section 260.750 and shall be used by the department of natural resources to achieve the following objectives and for purposes related to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste, including, but not limited to:

(1) Inspections, escorts, and security for waste shipment and planning;

(2) Coordination of emergency response capability;

(3) Education and training of state, county, and local emergency responders;

(4) Purchase and maintenance of necessary equipment and supplies for state, county, and local emergency responders through grants or other funding mechanisms;

(5) Emergency responses to any transportation incident involving the high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste;

(6) Oversight of any environmental remediation necessary resulting from an incident involving a shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste. Reimbursement for oversight of any such incident shall not reduce or eliminate the liability of any party responsible for the incident; such party may be liable for full reimbursement to the state or payment of any other costs associated with the cleanup of contamination related to a transportation incident;

(7) Administrative costs attributable to the state agencies which are incurred through their involvement as it relates to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state.



4. Nothing in this section shall preclude any other state agency from receiving reimbursement from the department of natural resources and the environmental radiation monitoring fund for services rendered that achieve the objectives and comply with the provisions of this section.

5. Any unencumbered balance in the environmental radiation monitoring fund that exceeds three hundred thousand dollars in any given fiscal year shall be returned to shippers on a pro rata basis, based on the shipper's contribution into the environmental radiation monitoring fund for that fiscal year.

6. The department of natural resources, in coordination with the department of health and senior services and the department of public safety, may promulgate rules necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

7. All funds deposited in the environmental radiation monitoring fund through fees established in subsection 2 of this section shall be utilized, subject to appropriation by the general assembly, for the administration and enforcement of this section by the department of natural resources. All interest earned by the moneys in the fund shall accrue to the fund.

8. All fees shall be paid to the department of natural resources prior to shipment.

9. Notice of any shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, or spent nuclear fuel through or within the state shall be provided by the shipper to the governor's designee for advanced notification, as described in 10 CFR Parts 71 and 73, as amended, prior to such shipment entering the state. Notice of any shipment of low-level radioactive waste through or within the state shall be provided by the shipper to the Missouri department of natural resources before such shipment enters the state.

10. Any shipper who fails to pay a fee assessed under this section, or fails to provide notice of a shipment, shall be liable in a civil action for an amount not to exceed ten times the amount assessed and not paid. The action shall be brought by the attorney general at the request of the department of natural resources. If the action involves a facility domiciled in the state, the action shall be brought in the circuit court of the county in which the facility is located. If the action does not involve a facility domiciled in the state, the action shall be brought in the circuit court of Cole County.

11. Beginning on December 31, 2009, and every two years thereafter, the department of natural resources shall prepare and submit a report on activities of the environmental radiation monitoring fund to the general assembly. This report shall include information on fee income received and expenditures made by the state to enforce and administer the provisions of this section.

12. The provisions of this section shall not apply to high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste shipped by or for the federal government for military or national defense purposes.

13. [Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years

after August 28, 2009, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized,] The program authorized under this section shall automatically sunset [twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset] **on August 28, 2024.**

260.475. 1. Every hazardous waste generator located in Missouri shall pay, in addition to the fees imposed in section 260.380, a fee of twenty-five dollars per ton annually on all hazardous waste which is discharged, deposited, dumped or placed into or on the soil as a final action, and two dollars per ton on all other hazardous waste transported off site. No fee shall be imposed upon any hazardous waste generator who registers less than ten tons of hazardous waste annually pursuant to section 260.380, or upon:

(1) Hazardous waste which must be disposed of as provided by a remedial plan for an abandoned or uncontrolled hazardous waste site;

(2) Fly ash waste, bottom ash waste, slag waste and flue gas emission control waste generated primarily from the combustion of coal or other fossil fuels;

(3) Solid waste from the extraction, beneficiation and processing of ores and minerals, including phosphate rock and overburden from the mining of uranium ore and smelter slag waste from the processing of materials into reclaimed metals;

(4) Cement kiln dust waste;

(5) Waste oil; or

(6) Hazardous waste that is:

(a) Reclaimed or reused for energy and materials;

(b) Transformed into new products which are not wastes;

(c) Destroyed or treated to render the hazardous waste nonhazardous; or

(d) Waste discharged to a publicly owned treatment works.

2. The fees imposed in this section shall be reported and paid to the department on an annual basis not later than the first of January. The payment shall be accompanied by a return in such form as the department may prescribe.

3. All moneys collected or received by the department pursuant to this section shall be transmitted to the department of revenue for deposit in the state treasury to the credit of the hazardous waste fund created pursuant to section 260.391. Following each annual reporting date, the state treasurer shall certify the amount deposited in the fund to the commission.

4. If any generator or transporter fails or refuses to pay the fees imposed by this section, or fails or refuses to furnish any information reasonably requested by the department relating to such fees, there shall be imposed, in addition to the fee determined to be owed, a penalty of fifteen percent of the fee shall be deposited in the hazardous waste fund.

5. If the fees or any portion of the fees imposed by this section are not paid by the date prescribed for such payment, there shall be imposed interest upon the unpaid amount at the rate of ten percent per annum

from the date prescribed for its payment until payment is actually made, all of which shall be deposited in the hazardous waste fund.

6. The state treasurer is authorized to deposit all of the moneys in the hazardous waste fund in any of the qualified depositories of the state. All such deposits shall be secured in such a manner and shall be made upon such terms and conditions as are now or may hereafter be provided for by law relative to state deposits. Interest received on such deposits shall be credited to the hazardous waste fund.

7. This fee shall expire December 31, 2018, except that the department shall levy and collect this fee for any hazardous waste generated prior to such date and reported to the department.

8. **Notwithstanding any statutory fee amounts or maximums to the contrary**, the director of the department of natural resources may conduct a comprehensive review [of] **and propose changes to** the fee structure set forth in this section. The comprehensive review shall include stakeholder meetings in order to solicit stakeholder input from each of the following groups: cement kiln representatives, chemical companies, large and small hazardous waste generators, and any other interested parties. Upon completion of the comprehensive review, the department shall submit a proposed [changes to the] fee structure with stakeholder agreement to the hazardous waste management commission. The commission shall[, upon receiving the department's recommendations,] review such recommendations at the forthcoming regular or special meeting, **but shall not vote on the fee structure until a subsequent meeting**. [The commission shall not take a vote on the fee structure until the following regular meeting.] If the commission approves, by vote of two-thirds majority **or five of seven commissioners**, the [hazardous waste] fee structure recommendations, the commission shall [promulgate by regulation and publish the recommended fee structure no later than October first of the same year. The commission shall] **authorize the department to file a notice of proposed rulemaking containing the recommended fee structure, and after considering public comments may authorize the department to** file the order of rulemaking for such rule with the joint committee on administrative rules pursuant to sections 536.021 and 536.024 no later than December first of the same year. If such rules are not disapproved by the general assembly in the manner set out below, they shall take effect on January first of the [next odd-numbered] **following calendar** year and the fee structure set out in this section shall expire upon the effective date of the commission-adopted fee structure, contrary to subsection 7 of this section. Any regulation promulgated under this subsection shall be deemed to be beyond the scope and authority provided in this subsection, or detrimental to permit applicants, if the general assembly, within the first sixty calendar days of the regular session immediately following the [promulgation] **filing** of such regulation[, by concurrent resolution, shall disapprove the fee structure contained in such regulation] **disapproves the regulation by concurrent resolution**. If the general assembly so disapproves any regulation [promulgated] **filed** under this subsection, [the hazardous waste management commission shall continue to use the fee structure set forth in the most recent preceding regulation promulgated under this subsection.] **the department and the commission shall not implement the proposed fee structure and shall continue to use the previous fee structure. The authority of the commission to further revise the fee structure as provided by** this subsection shall expire on August 28, [2023] **2024**.

444.510. As used in sections 444.500 to 444.755, unless the context clearly indicates otherwise, the following words and terms mean:

(1) "Affected land", the pit area or area from which overburden has been removed, or upon which overburden has been deposited;

(2) “Box cut”, the first open cut in the mining of coal which results in the placing of overburden on the surface of the land adjacent to the initial pit and outside of the area of land to be mined;

(3) “Commission”, the [land reclamation] **Missouri mining** commission **within the department of natural resources** created by section 444.520;

(4) “Company owned land”, land owned by the operator in fee simple;

(5) “Director”, the **staff** director of the [land reclamation] **Missouri mining** commission;

(6) “Gob”, that portion of refuse consisting of waste coal or bony coal of relatively large size which is separated from the marketable coal in the cleaning process or solid refuse material, not readily waterborne or pumpable, without crushing;

(7) “Highwall”, that side of the pit adjacent to unmined land;

(8) “Leased land”, all affected land where the operator does not own the land in fee simple;

(9) “Operator”, any person, firm or corporation engaged in or controlling a strip mining operation;

(10) “Overburden”, as applied to the strip mining of coal, means all of the earth and other materials which lie above natural deposits of coal, and includes such earth and other materials disturbed from their natural state in the process of strip mining;

(11) “Owner”, the owner of any right in the land other than the operator;

(12) “Peak”, a projecting point of overburden created in the strip mining process or that portion of unmined land remaining within the pit;

(13) “Person”, any individual, partnership, copartnership, firm, company, public or private corporation, association, joint stock company, trust, estate, political subdivision, or any agency, board, department, or bureau of the state or federal government, or any other legal entity whatever which is recognized by law as the subject of rights and duties;

(14) “Pit”, the place where coal is being or has been mined by strip mining;

(15) “Refuse”, all waste material directly connected with the cleaning and preparation of substances mined by strip mining;

(16) “Ridge”, a lengthened elevation of overburden created in the strip mining process;

(17) “Strip mining”, mining by removing the overburden lying above natural deposits of coal, and mining directly from the natural deposits thereby exposed, and includes mining of exposed natural deposits of coal over which no overburden lies; except that “strip mining” of coal shall only mean those activities exempted from the “Surface Coal Mining Law”, pursuant to subsection 6 of section 444.815.

444.520. 1. There is a [land reclamation] **Missouri mining** commission whose domicile for administrative purposes is the department of natural resources. The commission shall consist of the following [seven] **eight** persons: The state geologist, the director of the department of conservation, the director of staff of the clean water commission, and [four] **five** other persons selected from the general public who are residents of Missouri and who shall have an interest in and knowledge of conservation and land reclamation, and one of whom shall in addition have training and experience in surface mining, **one of whom shall in addition have training and experience in subsurface mining**, but not more than [one]

**two** can have a direct connection with the mining industry. The [~~four~~] **five** members from the general public shall be appointed by the governor, by and with the advice and consent of the senate. No more than [~~two~~] **three** of the appointed members shall belong to the same political party. The three members who serve on the commission by virtue of their office may designate a representative to attend any meetings in their place and exercise all their powers and duties. All necessary personnel required by the commission shall be selected, employed and discharged by the commission. The director of the department shall not have the authority to abolish positions.

2. The initial term of the appointed members shall be as follows: Two members, each from a different political party, shall be appointed for a term of two years, and two members, each from a different political party, shall be appointed for a term of four years. The governor shall designate the term of office for each person appointed when making the initial appointment. The terms of their successors shall be for four years. There is no limitation on the number of terms any appointed member may serve. The terms of all members shall continue until their successors have been duly appointed and qualified. If a vacancy occurs in the appointed membership, the governor shall appoint a member for the remaining portion of the unexpired term created by the vacancy. The governor may remove any appointed member for cause.

3. All members of the commission shall serve without compensation for their duties, but shall be reimbursed for necessary travel and other expenses incurred in the performance of their official duties.

4. At the first meeting of the commission, which shall be called by the state geologist, and at yearly intervals thereafter, the members shall select from among themselves a chairman and a vice chairman. The members of the commission shall appoint a qualified director who shall be a full-time employee of the commission and who shall act as its administrative agent. The commission shall determine the compensation of the director to be payable from appropriations made for that purpose.

444.762. It is hereby declared to be the policy of this state to strike a balance between [surface] mining of minerals and reclamation of land subjected to surface disturbance by [surface] mining, as contemporaneously as possible, and for the conservation of land, and thereby to preserve natural resources, to encourage the planting of forests, to advance the seeding of grasses and legumes for grazing purposes and crops for harvest, to aid in the protection of wildlife and aquatic resources, to establish recreational, home and industrial sites, to protect and perpetuate the taxable value of property, and to protect and promote the health, safety and general welfare of the people of this state.

444.765. Wherever used or referred to in sections 444.760 to 444.790, unless a different meaning clearly appears from the context, the following terms mean:

(1) “Affected land”, the pit area or area from which overburden shall have been removed, or upon which overburden has been deposited after September 28, 1971. When mining is conducted underground, affected land means any excavation or removal of overburden required to create access to mine openings, except that areas of disturbance encompassed by the actual underground openings for air shafts, portals, adits and haul roads in addition to disturbances within fifty feet of any openings for haul roads, portals or adits shall not be considered affected land. Sites which exceed the excluded areas by more than one acre for underground mining operations shall obtain a permit for the total extent of affected lands with no exclusions as required under sections 444.760 to 444.790;

(2) “Beneficiation”, the dressing or processing of minerals for the purpose of regulating the size of the desired product, removing unwanted constituents, and improving the quality or purity of a desired product;

(3) “Commercial purpose”, the purpose of extracting minerals for their value in sales to other persons or for incorporation into a product;

(4) “Commission”, the [land reclamation] **Missouri mining** commission in the department of natural resources **created by section 444.520**;

(5) “Construction”, construction, erection, alteration, maintenance, or repair of any facility including but not limited to any building, structure, highway, road, bridge, viaduct, water or sewer line, pipeline or utility line, and demolition, excavation, land clearance, and moving of minerals or fill dirt in connection therewith;

(6) “Department”, the department of natural resources;

(7) “Director”, the staff director of the [land reclamation] **Missouri mining** commission **or his or her designee**;

(8) “Excavation”, any operation in which earth, minerals, or other material in or on the ground is moved, removed, or otherwise displaced for purposes of construction at the site of excavation, by means of any tools, equipment, or explosives and includes, but is not limited to, backfilling, grading, trenching, digging, ditching, drilling, well-drilling, auguring, boring, tunneling, scraping, cable or pipe plowing, plowing-in, pulling-in, ripping, driving, demolition of structures, and the use of high-velocity air to disintegrate and suction to remove earth and other materials. For purposes of this section, excavation or removal of overburden for purposes of mining for a commercial purpose or for purposes of reclamation of land subjected to surface mining is not included in this definition. Neither shall excavations of sand and gravel by political subdivisions using their own personnel and equipment or private individuals for personal use be included in this definition;

(9) “Fill dirt”, material removed from its natural location through mining or construction activity, which is a mixture of unconsolidated earthy material, which may include some minerals, and which is used to fill, raise, or level the surface of the ground at the site of disposition, which may be at the site it was removed or on other property, and which is not processed to extract mineral components of the mixture. Backfill material for use in completing reclamation is not included in this definition;

(10) “Land improvement”, work performed by or for a public or private owner or lessor of real property for purposes of improving the suitability of the property for construction at an undetermined future date, where specific plans for construction do not currently exist;

(11) “Mineral”, a constituent of the earth in a solid state which, when extracted from the earth, is usable in its natural form or is capable of conversion into a usable form as a chemical, an energy source, or raw material for manufacturing or construction material. For the purposes of this section, this definition includes barite, tar sands, [and] oil shales, **cadmium, barium, nickel, cobalt, molybdenum, germanium, gallium, tellurium, selenium, vanadium, indium, mercury, uranium, rare earth elements, platinum group elements, manganese, phosphorus, sodium, titanium, zirconium, lithium, thorium, or tungsten**; but does not include iron, lead, zinc, gold, silver, coal, surface or subsurface water, fill dirt, natural oil or gas together with other chemicals recovered therewith;

(12) “Mining”, the removal of overburden and extraction of underlying minerals or the extraction of minerals from exposed natural deposits for a commercial purpose, as defined by this section;

(13) “Operator”, any person, firm or corporation engaged in and controlling a surface mining operation;

(14) “Overburden”, all of the earth and other materials which lie above natural deposits of minerals; and also means such earth and other materials disturbed from their natural state in the process of surface mining other than what is defined in subdivision (10) of this section;

(15) “Peak”, a projecting point of overburden created in the surface mining process;

(16) “Pit”, the place where minerals are being or have been mined by surface mining;

(17) “Public entity”, the state or any officer, official, authority, board, or commission of the state and any county, city, or other political subdivision of the state, or any institution supported in whole or in part by public funds;

(18) “Refuse”, all waste material directly connected with the cleaning and preparation of substance mined by surface mining;

(19) “Ridge”, a lengthened elevation of overburden created in the surface mining process;

(20) “Site” or “mining site”, any location or group of associated locations separated by a natural barrier where minerals are being surface mined by the same operator;

(21) “Surface mining”, the mining of minerals for commercial purposes by removing the overburden lying above natural deposits thereof, and mining directly from the natural deposits thereby exposed, and shall include mining of exposed natural deposits of such minerals over which no overburden lies and, after August 28, 1990, the surface effects of underground mining operations for such minerals. For purposes of the provisions of sections 444.760 to 444.790, surface mining shall not include excavations to move minerals or fill dirt within the confines of the real property where excavation occurs or to remove minerals or fill dirt from the real property in preparation for construction at the site of excavation. No excavation of fill dirt shall be deemed surface mining regardless of the site of disposition or whether construction occurs at the site of excavation.

**444.768. 1. Notwithstanding any statutory fee amounts or maximums to the contrary, the director of the department of natural resources may conduct a comprehensive review and propose changes to the fee, bond, or assessment structure as set forth in chapter 444. The comprehensive review shall include stakeholder meetings in order to solicit stakeholder input from regulated entities and any other interested parties. Upon completion of the comprehensive review, the department shall submit a proposed fee, bond, or assessment structure with stakeholder agreement to the Missouri mining commission. The commission shall review such recommendations at a forthcoming regular or special meeting, but shall not vote on the proposed structure until a subsequent meeting. If the commission approves, by vote of two-thirds majority, the fee, bond, or assessment structure recommendations, the commission shall authorize the department to file a notice of proposed rulemaking containing the recommended structure, and after considering public comments may authorize the department to file the final order of rulemaking for such rule with the joint committee on administrative rules pursuant to sections 536.021 and 536.024 no later than December first of the same year. If such rules are not disapproved by the general assembly in the manner set out below, they shall take effect on January first of the following calendar year, at which point the existing fee, bond, or assessment structure shall expire. Any regulation promulgated under this subsection shall be deemed to be beyond the scope and authority provided in this subsection, or detrimental to permit applicants, if the general assembly, within the first sixty days of the regular session immediately following the filing of such regulation disapproves the regulation by concurrent resolution. If the general assembly so disapproves any**

**regulation filed under this subsection, the department and the commission shall not implement the proposed fee, bond, or assessment structure and shall continue to use the previous fee, bond, or assessment structure. The authority for the commission to further revise the fee, bond, or assessment structure as provided in this subsection shall expire on August 28, 2024.**

**2. Failure to pay any fee, bond, or assessment, or any portion thereof, referenced in this section by the due date may result in the imposition of a late fee equal to fifteen percent of the unpaid amount, plus ten percent interest per annum. Any order issued by the department under chapter 444 may require payment of such amounts. The department may bring an action in the appropriate circuit court to collect any unpaid fee, late fee, interest, or attorney's fees and costs incurred directly in fee collection. Such action may be brought in the circuit court of the county in which the facility is located, or in the circuit court of Cole County.**

444.770. 1. It shall be unlawful for any operator to engage in surface mining without first obtaining from the commission a permit to do so, in such form as is hereinafter provided, including any operator involved in any gravel mining operation where the annual tonnage of gravel mined by such operator is less than five thousand tons, except as provided in subsection 2 of this section.

2. (1) A property owner or operator conducting gravel removal at the request of a property owner for the primary purpose of managing seasonal gravel accretion on property not used primarily for gravel mining, or a political subdivision who contracts with an operator for excavation to obtain sand and gravel material solely for the use of such political subdivision shall be exempt from obtaining a permit as required in subsection 1 of this section. Such gravel removal shall be conducted solely on the property owner's or political subdivision's property and shall be in accordance with department guidelines, rules, and regulations. The property owner shall notify the department before any person or operator conducts gravel removal from the property owner's property if the gravel is sold. Notification shall include the nature of the activity, name of the county and stream in which the site is located and the property owner's name. The property owner shall not be required to notify the department regarding any gravel removal at each site location for up to one year from the original notification regarding that site. The property owner shall renotify the department before any person or operator conducts gravel removal at any site after the expiration of one year from the previous notification regarding that site. At the time of each notification to the department, the department shall provide the property owner with a copy of the department's guidelines, rules, and regulations relevant to the activity reported. Said guidelines, rules and regulations may be transmitted either by mail or via the internet.

(2) The annual tonnage of gravel mined by such property owner or operator conducting gravel removal at the request of a property owner shall be less than two thousand tons, with a site limitation of one thousand tons annually. Any operator conducting gravel removal at the request of a property owner that has removed two thousand tons of sand and gravel material within one calendar year shall have a watershed management practice plan approved by the commission in order to remove any future sand or gravel material the remainder of the calendar year. The application for approval shall be accompanied by an application fee equivalent to the fee paid under section 444.772 and shall contain the name of the watershed from which the operator will be conducting sand and gravel removal, the location within the watershed district that the sand and gravel will be removed, and the description of the vehicles and equipment used for removal. Upon approval of the watershed management practice plan, the department shall provide a copy of the relevant commission regulations to the operator.



(3) No property owner or operator conducting gravel removal at the request of a property owner for the primary purpose of managing seasonal gravel accretion on property not used primarily for gravel mining shall conduct gravel removal from any site located within a distance, to be determined by the commission and included in the guidelines, rules, and regulations given to the property owner at the time of notification, of any building, structure, highway, road, bridge, viaduct, water or sewer line, and pipeline or utility line.

3. Sections 444.760 to 444.790 shall apply only to those areas which are opened on or after January 1, 1972, or to the extended portion of affected areas extended after that date. The effective date of this section for minerals not previously covered under the provisions of sections 444.760 to 444.790 shall be August 28, 1990.

4. All surface mining operations where land is affected after September 28, 1971, which are under the control of any government agency whose regulations are equal to or greater than those imposed by section 444.774, are not subject to the further provisions of sections 444.760 to 444.790, except that such operations shall be registered with the [land reclamation] **Missouri mining** commission.

5. Any portion of a surface mining operation which is subject to the provisions of sections 260.200 to 260.245 and the regulations promulgated thereunder, shall not be subject to the provisions of sections 444.760 to 444.790, and any bonds or portions thereof applicable to such operations shall be promptly released by the commission, and the associated permits cancelled by the commission upon presentation to it of satisfactory evidence that the operator has received a permit pursuant to section 260.205 and the regulations promulgated thereunder. Any land reclamation bond associated with such released permits shall be retained by the commission until presentation to the commission of satisfactory evidence that:

(1) The operator has complied with sections 260.226 and 260.227, and the regulations promulgated thereunder, pertaining to closure and postclosure plans and financial assurance instruments; and

(2) The operator has commenced operation of the solid waste disposal area or sanitary landfill as those terms are defined in chapter 260.

6. Notwithstanding the provisions of subsection 1 of this section, any political subdivision which uses its own personnel and equipment or any private individual for personal use may conduct in-stream gravel operations without obtaining from the commission a permit to conduct such an activity.

7. Any person filing a complaint of an alleged violation of this section with the department shall identify themselves by name and telephone number, provide the date and location of the violation, and provide adequate information, as determined by the department, that there has been a violation.

Any records, statements, or communications submitted by any person to the department relevant to the complaint shall remain confidential and used solely by the department to investigate such alleged violation.”; and

Further amend said bill, Page 7, Section 444.773, Line 92, by inserting after all of said section and line the following:

“444.805. As used in this law, unless the context clearly indicates otherwise, the following words and terms mean:

(1) “Approximate original contour”, that surface configuration achieved by backfilling and grading of the mined area so that the reclaimed area, including any terracing or access roads, closely resembles the general surface configuration of the land prior to mining and blends into and complements the drainage

pattern of the surrounding terrain, with all highwalls and spoil piles eliminated; water impoundments may be permitted where the commission determines that they are in compliance with subdivision (8) of subsection 2 of section 444.855;

(2) “Coal preparation area”, that portion of the permitted area used for the beneficiation of raw coal and structures related to the beneficiation process such as the washer, tipples, crusher, slurry pond or ponds, gob pile and all waste material directly connected with the cleaning, preparation and shipping of coal, but does not include subsurface coal waste disposal areas;

(3) “Coal preparation area reclamation”, the reclamation of the coal preparation area by disposal or burial or both of coal waste according to the approved reclamation plan, the replacement of topsoil, and initial seeding;

(4) “Commission”, the [land reclamation] **Missouri mining** commission created by section 444.520;

(5) “Director”, the **staff** director of the [land reclamation] **Missouri mining** commission;

(6) “Federal lands”, any land, including mineral interests, owned by the United States without regard to how the United States acquired ownership of the land and without regard to the agency having responsibility for management thereof, except Indian lands;

(7) “Federal lands program”, a program established by the United States Secretary of the Interior to regulate surface coal mining and reclamation operations on federal lands;

(8) “Imminent danger to the health and safety of the public”, the existence of any condition or practice, or any violation of a permit or other requirement of this law in a surface coal mining and reclamation operation, which condition, practice, or violation could reasonably be expected to cause substantial physical harm to persons outside the permit area before such condition, practice, or violation can be abated. A reasonable expectation of death or serious injury before abatement exists if a rational person, subjected to the same conditions or practices giving rise to the peril, would not expose himself or herself to the danger during the time necessary for abatement;

(9) “Operator”, any person engaged in coal mining;

(10) “Permit”, a permit to conduct surface coal mining and reclamation operations issued by the commission;

(11) “Permit area”, the area of land indicated on the approved map submitted by the operator with his application, which area of land shall be covered by the operator’s bond and shall be readily identifiable by appropriate markers on the site;

(12) “Permittee”, a person holding a permit;

(13) “Person”, any individual, partnership, copartnership, firm, company, public or private corporation, association, joint stock company, trust, estate, political subdivision, or any agency, board, department, or bureau of the state or federal government, or any other legal entity whatever which is recognized by law as the subject of rights and duties;

(14) “Phase I reclamation”, the filling and grading of all areas disturbed in the conduct of surface coal mining operations, including the replacement of top soil and initial seeding;

(15) “Phase I reclamation bond”, a bond for performance filed by a permittee pursuant to section

444.950 that may have no less than eighty percent released upon the successful completion of phase I reclamation of a permit area in accordance with the approved reclamation plan, with the rest of the bond remaining in effect until phase III liability is released;

(16) “Prime farmland”, land which historically has been used for intensive agricultural purposes, and which meets the technical criteria established by the commission on the basis of such factors as moisture availability, temperature regime, chemical balance, permeability, surface layer composition, susceptibility to flooding, and erosion characteristics;

(17) “Reclamation plan”, a plan submitted by an applicant for a permit which sets forth a plan for reclamation of the proposed surface coal mining operations;

(18) “Surface coal mining and reclamation operations”, surface coal mining operations and all activities necessary and incident to the reclamation of such operations;

(19) “Surface coal mining operations”, or “affected land”, or “disturbed land”:

(a) Activities conducted on the surface of lands in connection with a surface coal mine or surface operations and surface impacts incident to an underground coal mine. Such activities include excavation for the purpose of obtaining coal including such common methods as contour, strip, auger, mountaintop removal, box cut, open pit, and area mining, the uses of explosives and blasting, and in situ distillation or retorting, leaching or other chemical or physical processing, and the cleaning, concentrating, or other processing or preparation, loading of coal at or near the mine site; provided, however, that such activities do not include the extraction of coal incidental to the extraction of other minerals where coal does not exceed sixteen and two-thirds percentum of the tonnage of minerals removed for purposes of commercial use or sale, or coal explorations subject to section 444.845; and

(b) The areas upon which such activities occur or where such activities disturb the natural land surface. Such areas shall also include any adjacent land the use of which is incidental to any such activities, all lands affected by the construction of new roads or the improvement or use of existing roads to gain access to the site of such activities and for haulage, and excavations, workings, impoundments, dams, ventilation shafts, entryways, refuse banks, dumps, stockpiles, overburden piles, spoil banks, culm banks, tailings, holes or depressions, repair areas, storage areas, processing areas, shipping areas and other areas upon which are sited structures, facilities, or other property or materials on the surface, resulting from or incident to such activities;

(20) “This law” or “law”, sections 444.800 to 444.970;

(21) “Unwarranted failure to comply”, the failure of a permittee to prevent the occurrence of any violation of the permit, reclamation plan, law or rule and regulation, due to indifference, lack of diligence, or lack of reasonable care, or the failure to abate any such violation due to indifference, lack of diligence, or lack of reasonable care.

640.015. 1. All provisions of the law to the contrary notwithstanding, all rules that prescribe environmental conditions or standards promulgated by the department of natural resources, a board or a commission, pursuant to authorities granted in this chapter and chapters 260, 278, 319, 444, 643, and 644, the hazardous waste management commission in chapter 260, the state soil and water districts commission in chapter 278, the [land reclamation] **Missouri mining** commission in chapter 444, the safe drinking water commission in this chapter, the air conservation commission in chapter 643, and the clean water commission

in chapter 644 shall cite the specific section of law or legal authority. The rule shall also be based on the regulatory impact report provided in this section.

2. The regulatory impact report required by this section shall include:

- (1) A report on the peer-reviewed scientific data used to commence the rulemaking process;
- (2) A description of persons who will most likely be affected by the proposed rule, including persons that will bear the costs of the proposed rule and persons that will benefit from the proposed rule;
- (3) A description of the environmental and economic costs and benefits of the proposed rule;
- (4) The probable costs to the agency and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenue;
- (5) A comparison of the probable costs and benefits of the proposed rule to the probable costs and benefits of inaction, which includes both economic and environmental costs and benefits;
- (6) A determination of whether there are less costly or less intrusive methods for achieving the proposed rule;
- (7) A description of any alternative method for achieving the purpose of the proposed rule that were seriously considered by the department and the reasons why they were rejected in favor of the proposed rule;
- (8) An analysis of both short-term and long-term consequences of the proposed rule;
- (9) An explanation of the risks to human health, public welfare, or the environment addressed by the proposed rule;
- (10) The identification of the sources of scientific information used in evaluating the risk and a summary of such information;
- (11) A description and impact statement of any uncertainties and assumptions made in conducting the analysis on the resulting risk estimate;
- (12) A description of any significant countervailing risks that may be caused by the proposed rule; and
- (13) The identification of at least one, if any, alternative regulatory approaches that will produce comparable human health, public welfare, or environmental outcomes.

3. The department, board, or commission shall develop the regulatory impact report required by this section using peer-reviewed and published data or when the peer-reviewed data is not reasonably available, a written explanation shall be filed at the time of the rule promulgation notice explaining why the peer-reviewed data was not available to support the regulation. If the peer-reviewed data is not available, the department must provide all scientific references and the types, amount, and sources of scientific information that was used to develop the rule at the time of the rule promulgation notice.

4. The department, board, or commission shall publish in at least one newspaper of general circulation, qualified pursuant to chapter 493, with an average circulation of twenty thousand or more and on the department, board, or commission website a notice of availability of any regulatory impact report conducted pursuant to this section and shall make such assessments and analyses available to the public by posting them on the department, board, or commission website. The department, board, or commission shall allow

at least sixty days for the public to submit comments and shall post all comments and respond to all significant comments prior to promulgating the rule.

5. The department, board, or commission shall file a copy of the regulatory impact report with the joint committee on administrative rules concurrently with the filing of the proposed rule pursuant to section 536.024.

6. If the department, board, or commission fails to conduct the regulatory impact report as required for each proposed rule pursuant to this section, such rule shall be void unless the written explanation delineating why the peer-reviewed data was not available has been filed at the time of the rule promulgation notice.

7. Any other provision of this section to the contrary notwithstanding, the department, board, or commission referenced in subsection 1 of this section may adopt a rule without conducting a regulatory impact report if the director of the department determines that immediate action is necessary to protect human health, public welfare, or the environment; provided, however, in doing so, the department, board, or commission shall be required to provide written justification as to why it deviated from conducting a regulatory impact report and shall complete the regulatory impact report within one hundred eighty days of the adoption of the rule.

8. The provisions of this section shall not apply if the department adopts environmental protection agency rules and rules from other applicable federal agencies without variance.

640.016. 1. The department of natural resources shall not place in any permit any requirement, provision, stipulation, or any other restriction which is not prescribed or authorized by regulation or statute, unless the requirement, provision, stipulation, or other restriction is pursuant to the authority addressed in statute.

2. Prior to submitting a permit to public comment the department of natural resources shall deliver such permit to the permit applicant at the contact address on the permit application for final review. In the interest of expediting permit issuance, permit applicants may waive the opportunity to review draft permits prior to public notice. The permit applicant shall have ten days to review the permit for errors. Upon receipt of the applicant's review of the permit, the department of natural resources shall correct the permit where nonsubstantive drafting errors exist. The department of natural resources shall make such changes within ten days and submit the permit for public comment. If the permit applicant is not provided the opportunity to review permits prior to submission for public comment, the permit applicant shall have the authority to correct drafting errors in their permits after they are issued without paying any fee for such changes or modifications.

3. In any matter where a permit is denied by the department of natural resources pursuant to authorities granted in this chapter and chapters 260, 278, 319, 444, 643, and 644, the hazardous waste management commission in chapter 260, the state soil and water districts commission in chapter 278, the [land reclamation] **Missouri mining** commission in chapter 444, the safe drinking water commission in this chapter, the air conservation commission in chapter 643, and the clean water commission in chapter 644, such denial shall clearly state the basis for such denial.

4. Once a permit or action has been approved by the department, the department shall not revoke or change, without written permission from the permittee, the decision for a period of one year or unless the department determines that immediate action is necessary to protect human health, public welfare, or the environment.

640.100. 1. The safe drinking water commission created in section 640.105 shall promulgate rules necessary for the implementation, administration and enforcement of sections 640.100 to 640.140 and the federal Safe Drinking Water Act as amended.

2. No standard, rule or regulation or any amendment or repeal thereof shall be adopted except after a public hearing to be held by the commission after at least thirty days' prior notice in the manner prescribed by the rulemaking provisions of chapter 536 and an opportunity given to the public to be heard; the commission may solicit the views, in writing, of persons who may be affected by, knowledgeable about, or interested in proposed rules and regulations, or standards. Any person heard or registered at the hearing, or making written request for notice, shall be given written notice of the action of the commission with respect to the subject thereof. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated to administer and enforce sections 640.100 to 640.140 shall become effective only if the agency has fully complied with all of the requirements of chapter 536, including but not limited to section 536.028, if applicable, after June 9, 1998. All rulemaking authority delegated prior to June 9, 1998, is of no force and effect and repealed as of June 9, 1998, however, nothing in this section shall be interpreted to repeal or affect the validity of any rule adopted or promulgated prior to June 9, 1998. If the provisions of section 536.028 apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this chapter or chapter 644 shall affect the validity of any rule adopted and promulgated prior to June 9, 1998.

3. The commission shall promulgate rules and regulations for the certification of public water system operators, backflow prevention assembly testers and laboratories conducting tests pursuant to sections 640.100 to 640.140. Any person seeking to be a certified backflow prevention assembly tester shall satisfactorily complete standard, nationally recognized written and performance examinations designed to ensure that the person is competent to determine if the assembly is functioning within its design specifications. Any such state certification shall satisfy any need for local certification as a backflow prevention assembly tester. However, political subdivisions may set additional testing standards for individuals who are seeking to be certified as backflow prevention assembly testers. Notwithstanding any other provision of law to the contrary, agencies of the state or its political subdivisions shall only require carbonated beverage dispensers to conform to the backflow protection requirements established in the National Sanitation Foundation standard eighteen, and the dispensers shall be so listed by an independent testing laboratory. The commission shall promulgate rules and regulations for collection of samples and analysis of water furnished by municipalities, corporations, companies, state establishments, federal establishments or individuals to the public. The department of natural resources or the department of health and senior services shall, at the request of any supplier, make any analyses or tests required pursuant to the terms of section 192.320 and sections 640.100 to 640.140. The department shall collect fees to cover the reasonable cost of laboratory services, both within the department of natural resources and the department of health and senior services, laboratory certification and program administration as required by sections 640.100 to 640.140. The laboratory services and program administration fees pursuant to this subsection shall not exceed two hundred dollars for a supplier supplying less than four thousand one hundred service connections, three hundred dollars for supplying less than seven thousand six hundred service connections, five hundred dollars for supplying seven thousand six hundred or more service connections, and five hundred dollars for testing surface water. Such fees shall be deposited in the safe drinking water fund as

specified in section 640.110. The analysis of all drinking water required by section 192.320 and sections 640.100 to 640.140 shall be made by the department of natural resources laboratories, department of health and senior services laboratories or laboratories certified by the department of natural resources.

4. The department of natural resources shall establish and maintain an inventory of public water supplies and conduct sanitary surveys of public water systems. Such records shall be available for public inspection during regular business hours.

5. (1) For the purpose of complying with federal requirements for maintaining the primacy of state enforcement of the federal Safe Drinking Water Act, the department is hereby directed to request appropriations from the general revenue fund and all other appropriate sources to fund the activities of the public drinking water program and in addition to the fees authorized pursuant to subsection 3 of this section, an annual fee for each customer service connection with a public water system is hereby authorized to be imposed upon all customers of public water systems in this state. [The fees collected shall not exceed the amounts specified in this subsection and the commission may set the fees, by rule, in a lower amount by proportionally reducing all fees charged pursuant to this subsection from the specified maximum amounts. Reductions shall be roughly proportional but in each case shall be divisible by twelve.] Each customer of a public water system shall pay an annual fee for each customer service connection.

(2) The annual fee per customer service connection for unmetered customers and customers with meters not greater than one inch in size shall be based upon the number of service connections in the water system serving that customer, and shall not exceed:

1 to 1,000 connections. . . . .	\$ 3.24
1,001 to 4,000 connections. . . . .	3.00
4,001 to 7,000 connections. . . . .	2.76
7,001 to 10,000 connections. . . . .	2.40
10,001 to 20,000 connections. . . . .	2.16
20,001 to 35,000 connections. . . . .	1.92
35,001 to 50,000 connections. . . . .	1.56
50,001 to 100,000 connections. . . . .	1.32
More than 100,000 connections. . . . .	1.08.

(3) The annual user fee for customers having meters greater than one inch but less than or equal to two inches in size shall not exceed seven dollars and forty-four cents; for customers with meters greater than two inches but less than or equal to four inches in size shall not exceed forty-one dollars and sixteen cents; and for customers with meters greater than four inches in size shall not exceed eighty-two dollars and forty-four cents.

(4) Customers served by multiple connections shall pay an annual user fee based on the above rates for each connection, except that no single facility served by multiple connections shall pay a total of more than five hundred dollars per year.

6. Fees imposed pursuant to subsection 5 of this section shall become effective on August 28, 2006, and shall be collected by the public water system serving the customer beginning September 1, 2006, and

continuing until such time that the safe drinking water commission, at its discretion, specifies a [lower] **different** amount under [subdivision (1) of] subsection [5] **8** of this section. The commission shall promulgate rules and regulations on the procedures for billing, collection and delinquent payment. Fees collected by a public water system pursuant to subsection 5 of this section **and fees established by the commission pursuant to subsection 8 of this section** are state fees. The annual fee shall be enumerated separately from all other charges, and shall be collected in monthly, quarterly or annual increments. Such fees shall be transferred to the director of the department of revenue at frequencies not less than quarterly. Two percent of the revenue arising from the fees shall be retained by the public water system for the purpose of reimbursing its expenses for billing and collection of such fees.

7. Imposition and collection of the fees authorized in subsection 5 **and fees established by the commission pursuant to subsection 8** of this section shall be suspended on the first day of a calendar quarter if, during the preceding calendar quarter, the federally delegated authority granted to the safe drinking water program within the department of natural resources to administer the Safe Drinking Water Act, 42 U.S.C. 300g-2, is withdrawn. The fee shall not be reinstated until the first day of the calendar quarter following the quarter during which such delegated authority is reinstated.

8. [Fees imposed pursuant to subsection 5 of this section shall expire on September 1, 2017.] **Notwithstanding any statutory fee amounts or maximums to the contrary, the department of natural resources may conduct a comprehensive review and propose changes to the fee structure set forth in this section. The comprehensive review shall include stakeholder meetings in order to solicit stakeholder input from public and private water suppliers, and any other interested parties. Upon completion of the comprehensive review, the department shall submit a proposed fee structure with stakeholder agreement to the safe drinking water commission. The commission shall review such recommendations at a forthcoming regular or special meeting, but shall not vote on the fee structure until a subsequent meeting. If the commission approves, by vote of two-thirds majority or six of nine commissioners, the fee structure recommendations, the commission shall authorize the department to file a notice of proposed rulemaking containing the recommended fee structure, and after considering public comments may authorize the department to file the final order of rulemaking for such rule with the joint committee on administrative rules pursuant to sections 536.021 and 536.024 no later than December first of the same year. If such rules are not disapproved by the general assembly in the manner set out below, they shall take effect on January first of the following calendar year, at which point the existing fee structure shall expire. Any regulation promulgated under this subsection shall be deemed to be beyond the scope and authority provided in this subsection, or detrimental to permit applicants, if the general assembly within the first sixty calendar days of the regular session immediately following the filing of such regulation, disapproves the regulation by concurrent resolution. If the general assembly so disapproves any regulation filed under this subsection, the department and the commission shall not implement the proposed fee structure and shall continue to use the previous fee structure. The authority of the commission to further revise the fee structure as provided by this subsection shall expire on August 28, 2024.**

643.055. 1. Other provisions of law notwithstanding, the Missouri air conservation commission shall have the authority to promulgate rules and regulations, pursuant to chapter 536, to establish standards and guidelines to ensure that the state of Missouri is in compliance with the provisions of the federal Clean Air Act, as amended (42 U.S.C. Section 7401, et seq.). The standards and guidelines so established shall not be any stricter than those required under the provisions of the federal Clean Air Act, as amended; nor shall those standards and guidelines be enforced in any area of the state prior to the time required by the federal



Clean Air Act, as amended. The restrictions of this section shall not apply to the parts of a state implementation plan developed by the commission to bring a nonattainment area into compliance and to maintain compliance when needed to have a United States Environmental Protection Agency approved state implementation plan. The determination of which parts of a state implementation plan are not subject to the restrictions of this section shall be based upon specific findings of fact by the air conservation commission as to the rules, regulations and criteria that are needed to have a United States Environmental Protection Agency approved plan.

2. The Missouri air conservation commission shall also have the authority to grant exceptions and variances from the rules set under subsection 1 of this section when the person applying for the exception or variance can show that compliance with such rules:

- (1) Would cause economic hardship; or
- (2) Is physically impossible; or
- (3) Is more detrimental to the environment than the variance would be; or
- (4) Is impractical or of insignificant value under the existing conditions.

**3. The department shall not regulate the manufacture, performance, or use of residential wood burning heaters or appliances through a state implementation plan or otherwise, unless first specifically authorized to do so by the general assembly. No rule or regulation respecting the establishment or the enforcement of performance standards for residential wood burning heaters or appliances shall become effective unless and until first approved by the joint committee on administrative rules.**

**4. New rules or regulations shall not be applied to existing wood burning furnaces, stoves, fireplaces, or heaters that individuals are currently using as their source of heat for their homes or businesses. All wood burning furnaces, stoves, fireplaces, and heaters existing on August 28, 2014 shall be not subject to any rules or regulations enacted after such date. No employee of the state or state agency shall enforce any new rules or regulations against such existing wood burning furnaces, stoves, fireplaces, and heaters.**

643.079. 1. Any air contaminant source required to obtain a permit issued under sections 643.010 to 643.355 shall pay annually beginning April 1, 1993, a fee as provided herein. For the first year the fee shall be twenty-five dollars per ton of each regulated air contaminant emitted. Thereafter, the fee shall be set every three years by the commission by rule and shall be at least twenty-five dollars per ton of regulated air contaminant emitted but not more than forty dollars per ton of regulated air contaminant emitted in the previous calendar year. If necessary, the commission may make annual adjustments to the fee by rule. The fee shall be set at an amount consistent with the need to fund the reasonable cost of administering sections 643.010 to 643.355, taking into account other moneys received pursuant to sections 643.010 to 643.355. For the purpose of determining the amount of air contaminant emissions on which the fees authorized under this section are assessed, a facility shall be considered one source under the definition of subsection 2 of section 643.078, except that a facility with multiple operating permits shall pay the emission fees authorized under this section separately for air contaminants emitted under each individual permit.

2. A source which produces charcoal from wood shall pay an annual emission fee under this subsection in lieu of the fee established in subsection 1 of this section. The fee shall be based upon a maximum fee of twenty-five dollars per ton and applied upon each ton of regulated air contaminant emitted for the first four

thousand tons of each contaminant emitted in the amount established by the commission pursuant to subsection 1 of this section, reduced according to the following schedule:

(1) For fees payable under this subsection in the years 1993 and 1994, the fee shall be reduced by one hundred percent;

(2) For fees payable under this subsection in the years 1995, 1996 and 1997, the fee shall be reduced by eighty percent;

(3) For fees payable under this subsection in the years 1998, 1999 and 2000, the fee shall be reduced by sixty percent.

3. The fees imposed in subsection 2 of this section shall not be imposed or collected after the year 2000 unless the general assembly reimposes the fee.

4. Each air contaminant source with a permit issued under sections 643.010 to 643.355 shall pay the fee for the first four thousand tons of each regulated air contaminant emitted each year but no air contaminant source shall pay fees on total emissions of regulated air contaminants in excess of twelve thousand tons in any calendar year. A permitted air contaminant source which emitted less than one ton of all regulated pollutants shall pay a fee equal to the amount per ton set by the commission. An air contaminant source which pays emission fees to a holder of a certificate of authority issued pursuant to section 643.140 may deduct such fees from any amount due under this section. The fees imposed in this section shall not be applied to carbon oxide emissions. The fees imposed in subsection 1 and this subsection shall not be applied to sulfur dioxide emissions from any Phase I affected unit subject to the requirements of Title IV, Section 404, of the federal Clean Air Act, as amended, 42 U.S.C. 7651, et seq., any sooner than January 1, 2000. The fees imposed on emissions from Phase I affected units shall be consistent with and shall not exceed the provisions of the federal Clean Air Act, as amended, and the regulations promulgated thereunder. Any such fee on emissions from any Phase I affected unit shall be reduced by the amount of the service fee paid by that Phase I affected unit pursuant to subsection 8 of this section in that year. Any fees that may be imposed on Phase I sources shall follow the procedures set forth in subsection 1 and this subsection and shall not be applied retroactively.

5. Moneys collected under this section shall be transmitted to the director of revenue for deposit in appropriate subaccounts of the natural resources protection fund created in section 640.220. A subaccount shall be maintained for fees paid by air contaminant sources which are required to be permitted under Title V of the federal Clean Air Act, as amended, 42 U.S.C. Section 7661, et seq., and used, upon appropriation, to fund activities by the department to implement the operating permits program authorized by Title V of the federal Clean Air Act, as amended. Another subaccount shall be maintained for fees paid by air contaminant sources which are not required to be permitted under Title V of the federal Clean Air Act as amended, and used, upon appropriation, to fund other air pollution control program activities. Another subaccount shall be maintained for service fees paid under subsection 8 of this section by Phase I affected units which are subject to the requirements of Title IV, Section 404, of the federal Clean Air Act Amendments of 1990, as amended, 42 U.S.C. 7651, and used, upon appropriation, to fund air pollution control program activities. The provisions of section 33.080 to the contrary notwithstanding, moneys in the fund shall not revert to general revenue at the end of each biennium. Interest earned by moneys in the subaccounts shall be retained in the subaccounts. The per-ton fees established under subsection 1 of this section may be adjusted annually, consistent with the need to fund the reasonable costs of the program, but shall not be less than twenty-five dollars per ton of regulated air contaminant nor more than forty dollars per ton of regulated air contaminant. The first adjustment shall apply to moneys payable on April 1, 1994,

and shall be based upon the general price level for the twelve-month period ending on August thirty-first of the previous calendar year.

6. The department may initiate a civil action in circuit court against any air contaminant source which has not remitted the appropriate fees within thirty days. In any judgment against the source, the department shall be awarded interest at a rate determined pursuant to section 408.030 and reasonable attorney's fees. In any judgment against the department, the source shall be awarded reasonable attorney's fees.

7. The department shall not suspend or revoke a permit for an air contaminant source solely because the source has not submitted the fees pursuant to this section.

8. Any Phase I affected unit which is subject to the requirements of Title IV, Section 404, of the federal Clean Air Act, as amended, 42 U.S.C. 7651, shall pay annually beginning April 1, 1993, and terminating December 31, 1999, a service fee for the previous calendar year as provided herein. For the first year, the service fee shall be twenty-five thousand dollars for each Phase I affected generating unit to help fund the administration of sections 643.010 to 643.355. Thereafter, the service fee shall be annually set by the commission by rule, following public hearing, based on an annual allocation prepared by the department showing the details of all costs and expenses upon which such fees are based consistent with the department's reasonable needs to administer and implement sections 643.010 to 643.355 and to fulfill its responsibilities with respect to Phase I affected units, but such service fee shall not exceed twenty-five thousand dollars per generating unit. Any such Phase I affected unit which is located on one or more contiguous tracts of land with any Phase II generating unit that pays fees under subsection 1 or subsection 2 of this section shall be exempt from paying service fees under this subsection. A "contiguous tract of land" shall be defined to mean adjacent land, excluding public roads, highways and railroads, which is under the control of or owned by the permit holder and operated as a single enterprise.

9. The department of natural resources shall determine the fees due pursuant to this section by the state of Missouri and its departments, agencies and institutions, including two- and four-year institutions of higher education. The director of the department of natural resources shall forward the various totals due to the joint committee on capital improvements and the directors of the individual departments, agencies and institutions. The departments, as part of the budget process, shall annually request by specific line item appropriation funds to pay said fees and capital funding for projects determined to significantly improve air quality. If the general assembly fails to appropriate funds for emissions fees as specifically requested, the departments, agencies and institutions shall pay said fees from other sources of revenue or funds available. The state of Missouri and its departments, agencies and institutions may receive assistance from the small business technical assistance program established pursuant to section 643.173.

10. **Notwithstanding any statutory fee amounts or maximums to the contrary**, the [director of the] department of natural resources may conduct a comprehensive review [of] **and propose changes to** the fee structure [set forth in this section. The comprehensive review shall include] **authorized by sections 643.073, 643.075, 643.079, 643.225, 643.228, 643.232, 643.237, and 643.242 after holding** stakeholder meetings in order to solicit stakeholder input from each of the following groups: **the asbestos industry**, electric utilities, mineral and metallic mining and processing facilities, cement kiln representatives, and any other interested industrial or business entities or interested parties. [Upon completion of the comprehensive review,] The department shall submit a proposed [changes to the] fee structure with stakeholder agreement to the air conservation commission. The commission shall[, upon receiving the department's recommendations,] review such recommendations at the forthcoming regular or special meeting, **but shall not vote on the fee structure until a subsequent meeting.** [The commission shall review fee structure

recommendations from the department. The commission shall not take a vote on the fee structure recommendations until the following regular or special meeting.] If the commission approves, by vote of two-thirds majority or five of seven commissioners, the fee structure recommendations, the commission shall [promulgate by regulation and publish the recommended fee structure no later than October first of the same year. The commission shall] **authorize the department to file a notice of proposed rulemaking containing the recommended fee structure, and after considering public comments, may authorize the department to** file the order of rulemaking for such rule with the joint committee on administrative rules pursuant to sections 536.021 and 536.024 no later than December first of the same year. If such rules are not disapproved by the general assembly in the manner set out below, they shall take effect on January first of the [next odd-numbered] **following calendar** year and the **previous** fee structure [set out in this section] shall expire upon the effective date of the commission-adopted fee structure. Any regulation promulgated under this subsection shall be deemed to be beyond the scope and authority provided in this subsection, or detrimental to permit applicants, if the general assembly, within the first sixty calendar days of the regular session immediately following the [promulgation] **filing** of such regulation, by concurrent resolution[, shall disapprove the fee structure contained in such regulation] **disapproves the regulation by concurrent resolution**. If the general assembly so disapproves any regulation [promulgated] **filed** under this subsection, the [air conservation] commission shall continue to use the **previous** fee structure [set forth in the most recent preceding regulation promulgated under this subsection]. **The authority of the commission to further revise the fee structure as provided by** this subsection shall expire on August 28, [2023] **2024**.

644.026. 1. The commission shall:

- (1) Exercise general supervision of the administration and enforcement of sections 644.006 to 644.141 and all rules and regulations and orders promulgated thereunder;
- (2) Develop comprehensive plans and programs for the prevention, control and abatement of new or existing pollution of the waters of the state;
- (3) Advise, consult, and cooperate with other agencies of the state, the federal government, other states and interstate agencies, and with affected groups, political subdivisions and industries in furtherance of the purposes of sections 644.006 to 644.141;
- (4) Accept gifts, contributions, donations, loans and grants from the federal government and from other sources, public or private, for carrying out any of its functions, which funds shall not be expended for other than the purposes for which provided;
- (5) Encourage, participate in, or conduct studies, investigations, and research and demonstrations relating to water pollution and causes, prevention, control and abatement thereof as it may deem advisable and necessary for the discharge of its duties pursuant to sections 644.006 to 644.141;
- (6) Collect and disseminate information relating to water pollution and the prevention, control and abatement thereof;
- (7) After holding public hearings, identify waters of the state and prescribe water quality standards for them, giving due recognition to variations, if any, and the characteristics of different waters of the state which may be deemed by the commission to be relevant insofar as possible pursuant to any federal water pollution control act. These shall be reevaluated and modified as required by any federal water pollution control act;

(8) Adopt, amend, promulgate, or repeal after due notice and hearing rules and regulations to enforce, implement, and effectuate the powers and duties of sections 644.006 to 644.141 and any required of this state by any federal water pollution control act, and as the commission may deem necessary to prevent, control and abate existing or potential pollution. In addition to opportunities to submit written statements or provide testimony at public hearings in support of or in opposition to proposed rulemakings as required by section 536.021, any person who submits written comments or oral testimony on a proposed rule shall, at any public meeting to vote on an order of rulemaking or other commission policy, have the opportunity to respond to the proposed order of rulemaking or department of natural resources' response to comments to the extent that such response is limited to issues raised in oral or written comments made during the public notice comment period or public hearing on the proposed rule;

(9) Issue, modify or revoke orders prohibiting or abating discharges of water contaminants into the waters of the state or adopting other remedial measures to prevent, control or abate pollution;

(10) Administer state and federal grants and loans to municipalities and political subdivisions for the planning and construction of sewage treatment works;

(11) Hold such hearings, issue such notices of hearings and subpoenas requiring the attendance of such witnesses and the production of such evidence, administer such oaths, and take such testimony as the commission deems necessary or as required by any federal water pollution control act. Any of these powers may be exercised on behalf of the commission by any members thereof or a hearing officer designated by it;

(12) Require the prior submission of plans and specifications, or other data including the quantity and types of water contaminants, and inspect the construction of treatment facilities and sewer systems or any part thereof in connection with the issuance of such permits or approval as are required by sections 644.006 to 644.141, except that manholes and polyvinyl chloride (PVC) pipe used for gravity sewers and with a diameter no greater than twenty-seven inches shall not be required to be tested for leakage;

(13) Issue, continue in effect, revoke, modify or deny, under such conditions as it may prescribe, to prevent, control or abate pollution or any violations of sections 644.006 to 644.141 or any federal water pollution control act, permits for the discharge of water contaminants into the waters of this state, and for the installation, modification or operation of treatment facilities, sewer systems or any parts thereof. Such permit conditions, in addition to all other requirements of this subdivision, shall ensure compliance with all effluent regulations or limitations, water quality related effluent limitations, national standards of performance and toxic and pretreatment effluent standards, and all requirements and time schedules thereunder as established by sections 644.006 to 644.141 and any federal water pollution control act; however, no permit shall be required of any person for any emission into publicly owned treatment facilities or into publicly owned sewer systems tributary to publicly owned treatment works;

(14) Establish permits by rule. Such permits shall only be available for those facilities or classes of facilities that control potential water contaminants that pose a reduced threat to public health or the environment and that are in compliance with commission water quality standards rules, effluent rules or rules establishing permits by rule. Such permits by rule shall have the same legal standing as other permits issued pursuant to this chapter. Nothing in this section shall prohibit the commission from requiring a site-specific permit or a general permit for individual facilities;

(15) Require proper maintenance and operation of treatment facilities and sewer systems and proper

disposal of residual waste from all such facilities and systems;

(16) Exercise all incidental powers necessary to carry out the purposes of sections 644.006 to 644.141, assure that the state of Missouri complies with any federal water pollution control act, retains maximum control thereunder and receives all desired federal grants, aid and benefits;

(17) Establish effluent and pretreatment and toxic material control regulations to further the purposes of sections 644.006 to 644.141 and as required to ensure compliance with all effluent limitations, water quality-related effluent limitations, national standards of performance and toxic and pretreatment effluent standards, and all requirements and any time schedules thereunder, as established by any federal water pollution control act for point sources in this state, and where necessary to prevent violation of water quality standards of this state;

(18) Prohibit all discharges of radiological, chemical, or biological warfare agent or high-level radioactive waste into waters of this state;

(19) Require that all publicly owned treatment works or facilities which receive or have received grants or loans from the state or the federal government for construction or improvement make all charges required by sections 644.006 to 644.141 or any federal water pollution control act for use and recovery of capital costs, and the operating authority for such works or facility is hereby authorized to make any such charges;

(20) Represent the state of Missouri in all matters pertaining to interstate water pollution including the negotiation of interstate compacts or agreements;

(21) Develop such facts and make such investigations as are consistent with the purposes of sections 644.006 to 644.141, and, in connection therewith, to enter or authorize any representative of the commission to enter at all reasonable times and upon reasonable notice in or upon any private or public property for any purpose required by any federal water pollution control act or sections 644.006 to 644.141 for the purpose of developing rules, regulations, limitations, standards, or permit conditions, or inspecting or investigating any records required to be kept by sections 644.006 to 644.141 or any permit issued pursuant to sections 644.006 to 644.141, any condition which the commission or director has probable cause to believe to be a water contaminant source or the site of any suspected violation of sections 644.006 to 644.141, regulations, standards, or limitations, or permits issued pursuant to sections 644.006 to 644.141. The results of any such investigation shall be reduced to writing, and shall be furnished to the owner or operator of the property. No person shall refuse entry or access, requested for the purposes of inspection pursuant to this subdivision, to an authorized representative in carrying out the inspection. A suitably restricted search warrant, upon a showing of probable cause in writing and upon oath, shall be issued by any judge or associate circuit judge having jurisdiction to any representative for the purpose of enabling him or her to make such inspection. Information obtained pursuant to this section shall be available to the public unless it constitutes trade secrets or confidential information, other than effluent data, of the person from whom it is obtained, except when disclosure is required pursuant to any federal water pollution control act;

(22) Retain, employ, provide for, and compensate, within appropriations available therefor, such consultants, assistants, deputies, clerks and other employees on a full- or part-time basis as may be necessary to carry out the provisions of sections 644.006 to 644.141 and prescribe the times at which they shall be appointed and their powers and duties;

(23) Secure necessary scientific, technical, administrative and operation services, including laboratory facilities, by contract or otherwise, with any educational institution, experiment station, or any board,

department, or other agency of any political subdivision of the state or the federal government;

(24) Require persons owning or engaged in operations which do or could discharge water contaminants, or introduce water contaminants or pollutants of a quality and quantity to be established by the commission, into any publicly owned treatment works or facility, to provide and maintain any facilities and conduct any tests and monitoring necessary to establish and maintain records and to file reports containing information relating to measures to prevent, lessen or render any discharge less harmful or relating to rate, period, composition, temperature, and quality and quantity of the effluent, and any other information required by any federal water pollution control act or the director, and to make them public, except as provided in subdivision (21) of this section. The commission shall develop and adopt such procedures for inspection, investigation, testing, sampling, monitoring and entry respecting water contaminant and point sources as may be required for approval of such a program pursuant to any federal water pollution control act;

(25) Take any action necessary to implement continuing planning processes and areawide waste treatment management as established pursuant to any federal water pollution control act or sections 644.006 to 644.141;

**(26) Exercise general supervision of the department as the sole designated state agency with authority to administer the federal Clean Water Act in the state of Missouri, which shall include authority to approve any stream or wetland mitigation used in connection with any section 401 water quality certification.**

2. No rule or portion of a rule promulgated pursuant to this chapter shall become effective unless it has been promulgated pursuant to chapter 536.

644.051. 1. It is unlawful for any person:

(1) To cause pollution of any waters of the state or to place or cause or permit to be placed any water contaminant in a location where it is reasonably certain to cause pollution of any waters of the state;

(2) To discharge any water contaminants into any waters of the state which reduce the quality of such waters below the water quality standards established by the commission;

(3) To violate any pretreatment and toxic material control regulations, or to discharge any water contaminants into any waters of the state which exceed effluent regulations or permit provisions as established by the commission or required by any federal water pollution control act;

(4) To discharge any radiological, chemical, or biological warfare agent or high-level radioactive waste into the waters of the state.

2. It shall be unlawful for any person to operate, use or maintain any water contaminant or point source in this state that is subject to standards, rules or regulations promulgated pursuant to the provisions of sections 644.006 to 644.141 unless such person holds an operating permit from the commission, subject to such exceptions as the commission may prescribe by rule or regulation. However, no operating permit shall be required of any person for any emission into publicly owned treatment facilities or into publicly owned sewer systems tributary to publicly owned treatment works.

3. It shall be unlawful for any person to construct, build, replace or make major modification to any point source or collection system that is principally designed to convey or discharge human sewage to waters of the state, unless such person obtains a construction permit from the commission, except as provided in this section. The following activities shall be excluded from construction permit requirements:

(1) Facilities greater than one million gallons per day that are authorized through a local supervised program, and are not receiving any department financial assistance;

(2) All sewer extensions or collection projects that are one thousand feet in length or less with fewer than two lift stations;

(3) All sewer collection projects that are authorized through a local supervised program; and

(4) Any other exclusions the commission may promulgate by rule.

[However, nothing shall prevent the department from taking action to assure protection of the environment and human health.] A construction permit may be required [where necessary as determined by the department, including] **by the department in the following circumstances:**

(a) Substantial deviation from the commission's design standards;

(b) To [correct] **address** noncompliance;

(c) When an unauthorized discharge has occurred or has the potential to occur; or

(d) To correct a violation of water quality standards.

In addition, any point source that proposes to construct an earthen storage structure to hold, convey, contain, store or treat domestic, agricultural, or industrial process wastewater also shall be subject to the construction permit provisions of this subsection. All other construction-related activities at point sources shall be exempt from the construction permit requirements. All activities that are exempted from the construction permit requirement are subject to the following conditions:

a. Any point source system designed to hold, convey, contain, store or treat domestic, agricultural or industrial process wastewater shall be designed by a professional engineer registered in Missouri in accordance with the commission's design rules;

b. Such point source system shall be constructed in accordance with the registered professional engineer's design and plans; and

c. Such point source system may receive a post-construction site inspection by the department prior to receiving operating permit approval. A site inspection may be performed by the department, upon receipt of a complete operating permit application or submission of an engineer's statement of work complete.

A governmental unit may apply to the department for authorization to operate a local supervised program, and the department may authorize such a program. A local supervised program would recognize the governmental unit's engineering capacity and ability to conduct engineering work, supervise construction and maintain compliance with relevant operating permit requirements.

4. Before issuing any permit required by this section, the director shall issue such notices, conduct such hearings, and consider such factors, comments and recommendations as required by sections 644.006 to 644.141 or any federal water pollution control act. The director shall determine if any state or any provisions of any federal water pollution control act the state is required to enforce, any state or federal effluent limitations or regulations, water quality-related effluent limitations, national standards of performance, toxic and pretreatment standards, or water quality standards which apply to the source, or any such standards in the vicinity of the source, are being exceeded, and shall determine the impact on such water quality standards from the source. The director, in order to effectuate the purposes of sections 644.006 to 644.141,



shall deny a permit if the source will violate any such acts, regulations, limitations or standards or will appreciably affect the water quality standards or the water quality standards are being substantially exceeded, unless the permit is issued with such conditions as to make the source comply with such requirements within an acceptable time schedule.

5. The director shall grant or deny the permit within sixty days after all requirements of the Federal Water Pollution Control Act concerning issuance of permits have been satisfied unless the application does not require any permit pursuant to any federal water pollution control act. The director or the commission may require the applicant to provide and maintain such facilities or to conduct such tests and monitor effluents as necessary to determine the nature, extent, quantity or degree of water contaminant discharged or released from the source, establish and maintain records and make reports regarding such determination.

6. The director shall promptly notify the applicant in writing of his or her action and if the permit is denied state the reasons therefor. The applicant may appeal to the commission from the denial of a permit or from any condition in any permit by filing notice of appeal with the commission within thirty days of the notice of denial or issuance of the permit. After a final action is taken on a new or reissued general permit, a potential applicant for the general permit who can demonstrate that he or she is or may be adversely affected by any permit term or condition may appeal the terms and conditions of the general permit within thirty days of the department's issuance of the general permit. In no event shall a permit constitute permission to violate the law or any standard, rule or regulation promulgated pursuant thereto.

7. In any hearing held pursuant to this section that involves a permit, license, or registration, the burden of proof is on the party specified in section 640.012. Any decision of the commission made pursuant to a hearing held pursuant to this section is subject to judicial review as provided in section 644.071.

8. In any event, no permit issued pursuant to this section shall be issued if properly objected to by the federal government or any agency authorized to object pursuant to any federal water pollution control act unless the application does not require any permit pursuant to any federal water pollution control act.

9. Permits may be modified, reissued, or terminated at the request of the permittee. All requests shall be in writing and shall contain facts or reasons supporting the request.

10. No manufacturing or processing plant or operating location shall be required to pay more than one operating fee. Operating permits shall be issued for a period not to exceed five years after date of issuance, except that general permits shall be issued for a five-year period, and also except that neither a construction nor an annual permit shall be required for a single residence's waste treatment facilities. Applications for renewal of a site-specific operating permit shall be filed at least one hundred eighty days prior to the expiration of the existing permit. Applications seeking to renew coverage under a general permit shall be submitted at least thirty days prior to the expiration of the general permit, unless the permittee has been notified by the director that an earlier application must be made. General permits may be applied for and issued electronically once made available by the director.

11. Every permit issued to municipal or any publicly owned treatment works or facility shall require the permittee to provide the clean water commission with adequate notice of any substantial new introductions of water contaminants or pollutants into such works or facility from any source for which such notice is required by sections 644.006 to 644.141 or any federal water pollution control act. Such permit shall also require the permittee to notify the clean water commission of any substantial change in volume or character of water contaminants or pollutants being introduced into its treatment works or facility by a source which

was introducing water contaminants or pollutants into its works at the time of issuance of the permit. Notice must describe the quality and quantity of effluent being introduced or to be introduced into such works or facility by a source which was introducing water contaminants or pollutants into its works at the time of issuance of the permit. Notice must describe the quality and quantity of effluent being introduced or to be introduced into such works or facility and the anticipated impact of such introduction on the quality or quantity of effluent to be released from such works or facility into waters of the state.

12. The director or the commission may require the filing or posting of a bond as a condition for the issuance of permits for construction of temporary or future water treatment facilities or facilities that utilize innovative technology for wastewater treatment in an amount determined by the commission to be sufficient to ensure compliance with all provisions of sections 644.006 to 644.141, and any rules or regulations of the commission and any condition as to such construction in the permit. For the purposes of this section, “innovative technology for wastewater treatment” shall mean a completely new and generally unproven technology in the type or method of its application that bench testing or theory suggest has environmental, efficiency, and cost benefits beyond the standard technologies. No bond shall be required for designs approved by any federal agency or environmental regulatory agency of another state. The bond shall be signed by the applicant as principal, and by a corporate surety licensed to do business in the state of Missouri and approved by the commission. The bond shall remain in effect until the terms and conditions of the permit are met and the provisions of sections 644.006 to 644.141 and rules and regulations promulgated pursuant thereto are complied with.

13. (1) The department shall issue or deny applications for construction and site-specific operating permits received after January 1, 2001, within one hundred eighty days of the department’s receipt of an application. For general construction and operating permit applications received after January 1, 2001, that do not require a public participation process, the department shall issue or deny the permits within sixty days of the department’s receipt of an application. For an application seeking coverage under a renewed general permit that does not require an individual public participation process, the director shall issue or deny the permit within sixty days of the director’s receipt of the application, or upon issuance of the general permit, whichever is later. In regard to an application seeking coverage under an initial general permit that does not require an individual public participation process, the director shall issue or deny the permit within sixty days of the department’s receipt of the application. For an application seeking coverage under a renewed general permit that requires an individual public participation process, the director shall issue or deny the permit within ninety days of the director’s receipt of the application, or upon issuance of the general permit, whichever is later. In regard to an application for an initial general permit that requires an individual public participation process, the director shall issue or deny the permit within ninety days of the director’s receipt of the application.

(2) If the department fails to issue or deny with good cause a construction or operating permit application within the time frames established in subdivision (1) of this subsection, the department shall refund the full amount of the initial application fee within forty-five days of failure to meet the established time frame. If the department fails to refund the application fee within forty-five days, the refund amount shall accrue interest at a rate established pursuant to section 32.065.

(3) Permit fee disputes may be appealed to the commission within thirty days of the date established in subdivision (2) of this subsection. If the applicant prevails in a permit fee dispute appealed to the commission, the commission may order the director to refund the applicant’s permit fee plus interest and reasonable attorney’s fees as provided in sections 536.085 and 536.087. A refund of the initial application

or annual fee does not waive the applicant's responsibility to pay any annual fees due each year following issuance of a permit.

(4) No later than December 31, 2001, the commission shall promulgate regulations defining shorter review time periods than the time frames established in subdivision (1) of this subsection, when appropriate, for different classes of construction and operating permits. In no case shall commission regulations adopt permit review times that exceed the time frames established in subdivision (1) of this subsection. The department's failure to comply with the commission's permit review time periods shall result in a refund of said permit fees as set forth in subdivision (2) of this subsection. On a semiannual basis, the department shall submit to the commission a report which describes the different classes of permits and reports on the number of days it took the department to issue each permit from the date of receipt of the application and show averages for each different class of permits.

(5) During the department's technical review of the application, the department may request the applicant submit supplemental or additional information necessary for adequate permit review. The department's technical review letter shall contain a sufficient description of the type of additional information needed to comply with the application requirements.

(6) Nothing in this subsection shall be interpreted to mean that inaction on a permit application shall be grounds to violate any provisions of sections 644.006 to 644.141 or any rules promulgated pursuant to sections 644.006 to 644.141.

14. The department shall respond to all requests for individual certification under Section 401 of the Federal Clean Water Act within the lesser of sixty days or the allowed response period established pursuant to applicable federal regulations without request for an extension period unless such extension is determined by the commission to be necessary to evaluate significant impacts on water quality standards and the commission establishes a timetable for completion of such evaluation in a period of no more than one hundred eighty days.

15. All permit fees generated pursuant to this chapter shall not be used for the development or expansion of total maximum daily loads studies on either the Missouri or Mississippi rivers.

16. The department shall implement permit shield provisions equivalent to the permit shield provisions implemented by the U.S. Environmental Protection Agency pursuant to the Clean Water Act, Section 402(k), 33 U.S.C. 1342(k), and its implementing regulations, for permits issued pursuant to chapter 644.

17. Prior to the development of a new general permit or reissuance of a general permit for aquaculture, land disturbance requiring a storm water permit, or reissuance of a general permit under which fifty or more permits were issued under a general permit during the immediately preceding five-year period for a designated category of water contaminant sources, the director shall implement a public participation process complying with the following minimum requirements:

(1) For a new general permit or reissuance of a general permit, a general permit template shall be developed for which comments shall be sought from permittees and other interested persons prior to issuance of the general permit;

(2) The director shall publish notice of his intent to issue a new general permit or reissue a general permit by posting notice on the department's website at least one hundred eighty days before the proposed effective date of the general permit;

(3) The director shall hold a public informational meeting to provide information on anticipated permit conditions and requirements and to receive informal comments from permittees and other interested persons. The director shall include notice of the public informational meeting with the notice of intent to issue a new general permit or reissue a general permit under subdivision (2) of this subsection. The notice of the public informational meeting, including the date, time and location, shall be posted on the department's website at least thirty days in advance of the public meeting. If the meeting is being held for reissuance of a general permit, notice shall also be made by electronic mail to all permittees holding the current general permit which is expiring. Notice to current permittees shall be made at least twenty days prior to the public meeting;

(4) The director shall hold a thirty-day public comment period to receive comments on the general permit template with the thirty-day comment period expiring at least sixty days prior to the effective date of the general permit. Scanned copies of the comments received during the public comment period shall be posted on the department's website within five business days after close of the public comment period;

(5) A revised draft of a general permit template and the director's response to comments submitted during the public comment period shall be posted on the department's website at least forty-five days prior to issuance of the general permit. At least forty-five days prior to issuance of the general permit the department shall notify all persons who submitted comments to the department that these documents have been posted to the department's website;

(6) Upon issuance of a new or renewed general permit, the general permit shall be posted to the department's website.

18. Notices required to be made by the department pursuant to subsection 17 of this section may be made by electronic mail. The department shall not be required to make notice to any permittee or other person who has not provided a current electronic mail address to the department. In the event the department chooses to make material modifications to the general permit before its expiration, the department shall follow the public participation process described in subsection 17 of this section.

19. The provisions of subsection 17 of this section shall become effective beginning January 1, 2013.

644.057. **Notwithstanding any statutory fee amounts or maximums to the contrary**, the director of the department of natural resources may conduct a comprehensive review [of] **and propose changes to** the clean water fee structure set forth in sections 644.052 [and], 644.053, **and 644.061**. The comprehensive review shall include stakeholder meetings in order to solicit stakeholder input from each of the following groups: agriculture, industry, municipalities, public and private wastewater facilities, and the development community. Upon completion of the comprehensive review, the department shall submit a proposed [changes to the] fee structure with stakeholder agreement to the clean water commission. The commission shall[, upon receiving the department's recommendations,] review such recommendations at the forthcoming regular or special meeting [under subsection 3 of section 644.021], **but shall not vote on the fee structure until a subsequent meeting**. [The commission shall not take a vote on the clean water fee structure recommendations until the following regular or special meeting.] In no case shall the clean water commission adopt or recommend any clean water fee in excess of five thousand dollars. If the commission approves, by vote of two-thirds majority or five of seven commissioners, the [clean water] fee structure recommendations, the commission shall [promulgate by regulation and publish the recommended clean water fee structure no later than October first of the same year. The commission shall] **authorize the department to file a notice of proposed rulemaking containing the recommended fee structure, and**

**after considering public comments, may authorize the department to** file the order of rulemaking for such rule with the joint committee on administrative rules pursuant to sections 536.021 and 536.024 no later than December first of the same year. If such rules are not disapproved by the general assembly in the manner set out below, they shall take effect on January first of the [next odd-numbered] **following calendar** year and the fee structures set forth in sections 644.052 [and], 644.053, **and 644.061** shall expire upon the effective date of the commission-adopted fee structure, contrary to section 644.054. Any regulation promulgated under this subsection shall be deemed to be beyond the scope and authority provided in this subsection, or detrimental to permit applicants, if the general assembly, within the first sixty calendar days of the regular session immediately following the [promulgation] **filing** of such regulation[, by concurrent resolution, shall disapprove the fee structure contained in such regulation] **disapproves the regulation by concurrent resolution**. If the general assembly so disapproves any regulation [promulgated] **filed** under this subsection, the [clean water commission shall continue to use the fee structure set forth in the most recent preceding regulation promulgated under this subsection.] **department and the commission shall not implement the proposed fee structure and shall continue to use the previous fee structure. The authority of the commission to further revise the fee structure provided by this section shall expire on August 28, [2023] 2024.**

**644.058. Notwithstanding the provisions of section 644.026 to the contrary, in promulgating water quality standards, the commission shall only revise water quality standards upon the completion of an assessment by the department finding that there is an environmental need for such revision. As part of the implementation of any revised water quality standards modifications of twenty-five percent or more, the department shall conduct an evaluation which shall include the environmental and economic impacts of the revised water quality standards on a subbasin basis. This evaluation shall be conducted at the eight-digit hydrologic unit code level. The department shall document these evaluations and use them in making individual site-specific permit decisions.**

644.145. 1. When issuing permits under this chapter that incorporate a new requirement for discharges from publicly owned combined or separate sanitary or storm sewer systems or treatment works, or when enforcing provisions of this chapter or the Federal Water Pollution Control Act, 33 U.S.C. 1251, et seq., pertaining to any portion of a publicly owned combined or separate sanitary or storm sewer system or treatment works, the department of natural resources shall make a finding of affordability **on the costs to be incurred and the impact of any rate changes on ratepayers** upon which to base such permits and decisions, to the extent allowable under this chapter and the Federal Water Pollution Control Act.

2. (1) The department of natural resources shall not be required under this section to make a finding of affordability when:

(a) Issuing collection system extension permits;

(b) Issuing National Pollution Discharge Elimination System operating permit renewals which include no new environmental requirements; or

(c) The permit applicant certifies that the applicable requirements are affordable to implement or otherwise waives the requirement for an affordability finding; however, at no time shall the department require that any applicant certify, as a condition to approving any permit, administrative or civil action, that a requirement, condition, or penalty is affordable.

(2) The exceptions provided under paragraph (c) of subdivision (1) of this subsection do not apply when

the community being served has less than three thousand three hundred residents.

3. When used in this chapter and in standards, rules and regulations promulgated pursuant to this chapter, the following words and phrases mean:

(1) “Affordability”, with respect to payment of a utility bill, a measure of whether an individual customer or household **with an income equal to the lower of the median household income for their community or the state of Missouri** can pay the bill without undue hardship or unreasonable sacrifice in the essential lifestyle or spending patterns of the individual or household, taking into consideration the criteria described in subsection 4 of this section;

(2) “Financial capability”, the financial capability of a community to make investments necessary to make water quality-related improvements;

(3) **“Finding of affordability”, a department statement as to whether an individual or a household receiving as income an amount equal to the lower of the median household income for the applicant community or the state of Missouri would be required to make unreasonable sacrifices in their essential lifestyle or spending patterns or undergo hardships in order to make the projected monthly payments for sewer services. The department shall make a statement that the proposed changes meet the definition of affordable, or fail to meet the definition of affordable, or are implemented as a federal mandate regardless of affordability.**

4. The department of natural resources shall adopt procedures by which it will make affordability findings that evaluate the affordability of permit requirements and enforcement actions described in subsection 1 of this section, and may begin implementing such procedures prior to promulgating implementing regulations. The commission shall have the authority to promulgate rules to implement this section pursuant to chapters 536 and 644, and shall promulgate such rules as soon as practicable. Affordability findings shall be based upon reasonably verifiable data and shall include an assessment of affordability with respect to persons or entities affected. The department shall offer the permittee an opportunity to review a draft affordability finding, and the permittee may suggest changes and provide additional supporting information, subject to subsection 6 of this section. The finding shall be based upon the following criteria:

(1) A community’s financial capability and ability to raise or secure necessary funding;

(2) Affordability of pollution control options for the individuals or households **at or below the median household income level** of the community;

(3) An evaluation of the overall costs and environmental benefits of the control technologies;

(4) **Inclusion of ongoing costs of operating and maintaining the existing wastewater collection and treatment system, including payments on outstanding debts for wastewater collection and treatment systems when calculating projected rates;**

(5) An inclusion of ways to reduce economic impacts on distressed populations in the community, including but not limited to low- and fixed-income populations. This requirement includes but is not limited to:

(a) Allowing adequate time in implementation schedules to mitigate potential adverse impacts on distressed populations resulting from the costs of the improvements and taking into consideration local community economic considerations; and

(b) Allowing for reasonable accommodations for regulated entities when inflexible standards and fines would impose a disproportionate financial hardship in light of the environmental benefits to be gained;

[(5)] **(6) An assessment of other community investments and operating costs relating to environmental improvements and public health protection;**

[(6)] **(7) An assessment of factors set forth in the United States Environmental Protection Agency's guidance, including but not limited to the "Combined Sewer Overflow Guidance for Financial Capability Assessment and Schedule Development" that may ease the cost burdens of implementing wet weather control plans, including but not limited to small system considerations, the attainability of water quality standards, and the development of wet weather standards; and**

[(7)] **(8) An assessment of any other relevant local community economic condition.**

5. Prescriptive formulas and measures used in determining financial capability, affordability, and thresholds for expenditure, such as median household income, should not be considered to be the only indicator of a community's ability to implement control technology and shall be viewed in the context of other economic conditions rather than as a threshold to be achieved.

6. Reasonable time spent preparing draft affordability findings, allowing permittees to review draft affordability findings or draft permits, or revising draft affordability findings, shall be allowed in addition to the department's deadlines for making permitting decisions pursuant to section 644.051.

7. If the department of natural resources fails to make a finding of affordability where required by this section, then the resulting permit or decision shall be null, void and unenforceable.

8. The department of natural resources' findings under this section may be appealed to the commission pursuant to subsection 6 of section 644.051.

**9. The department shall file an annual report by the beginning of the fiscal year with the governor, the speaker of the house of representatives, the president pro tempore of the senate, and the chairs of the committees in both houses having primary jurisdiction over natural resource issues showing at least the following information on the findings of affordability completed in the previous calendar year:**

**(1) The total number of findings of affordability issued by the department, those categorized as affordable, those categorized as not meeting the definition of affordable, and those implemented as a federal mandate regardless of affordability;**

**(2) The average increase in sewer rates both in dollars and percentage for all findings found to be affordable;**

**(3) The average increase in sewer rates as a percentage of median house income in the communities for those findings determined to be affordable and a separate calculation of average increases in sewer rates for those found not to meet the definition of affordable;**

**(4) A list of all the permit holders receiving findings, and for each permittee the following data taken from the finding of affordability shall be listed:**

**(a) Current and projected monthly residential sewer rates in dollars;**

**(b) Projected monthly residential sewer rates as a percentage of median house income;**

**(c) Percentage of households at or below the state poverty rate.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 567**, entitled:

An Act to repeal sections 660.400, 660.403, 660.405, 660.407, 660.409, 660.411, 660.414, 660.416, 660.418, and 660.420, RSMo, and to enact in lieu thereof sixteen new sections relating to adult day care, with penalty provisions.

With House Amendment Nos. 1 and 2.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 567, Page 1, Section 660.400, Line 1, by placing opening “[” and closing “]” brackets around “199.025 and”; and

Further amend said bill and section, Page 2, Line 34, by deleting all of said line and inserting in lieu thereof the following:

“[division] **department** in relation to the number of adults being cared for by such staff;”; and

Further amend said bill, Page 8, Section 660.407, Lines 6-7, by deleting all of said lines and inserting in lieu thereof the following:

“care program. The [division] **department** shall make at least two inspections per year, at least one of which shall be unannounced to the operator or provider. The [division] **department** may make such other inspections,”; and

Further amend said bill and page, Section 660.411, Line 4, by deleting all of said lines and inserting in lieu thereof the following:

“consultation to assist applicants for or holders of licenses [or provisional licenses] in meeting the”; and

Further amend said bill, Page 9, Section 660.416, Line 2, by placing opening “[” and closing “]” brackets around the words “or suspending”; and

Further amend said bill, Page 10, Section 660.418, Line 4, by placing opening “[” and closing “]” brackets around “199.025 and”; and

Further amend said bill, Page 11, Section 660.423, Line 13, by deleting the phrase “**this chapter**” and inserting in lieu thereof the phrase “**sections 660.403 to 660.420**”; and

Further amend said bill, Page 12, Section 660.424, Line 1, by inserting the word “**care**” immediately after the word “**day**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 567, Page 1,



In the Title, Line 4, by deleting the words “adult day care” and inserting in lieu thereof the words “public health”; and

Further amend said section and page, Section A, Line 5, by inserting after all of said section and line the following:

“174.335. 1. Beginning with the 2004-2005 school year and for each school year thereafter, every public institution of higher education in this state shall require all students who reside in on-campus housing to [sign a written waiver stating that the institution of higher education has provided the student, or if the student is a minor, the student’s parents or guardian, with detailed written information on the risks associated with meningococcal disease and the availability and effectiveness of] **have received the meningococcal vaccine unless a signed statement of medical or religious exemption is on file with the institution’s administration. A student shall be exempted from the immunization requirement of this section upon signed certification by a physician licensed under chapter 334, indicating that either the immunization would seriously endanger the student’s health or life or the student has documentation of the disease or laboratory evidence of immunity to the disease. A student shall be exempted from the immunization requirement of this section if he or she objects in writing to the institution’s administration that immunization violates his or her religious beliefs.**

2. [Any student who elects to receive the meningococcal vaccine shall not be required to sign a waiver referenced in subsection 1 of this section and shall present a record of said vaccination to the institution of higher education.

3.] Each public university or college in this state shall maintain records on the meningococcal vaccination status of every student residing in on-campus housing at the university or college[, including any written waivers executed pursuant to subsection 1 of this section].

[4.] **3.** Nothing in this section shall be construed as requiring any institution of higher education to provide or pay for vaccinations against meningococcal disease.

**191.761. 1. Beginning July 1, 2015, the department of health and senior services shall provide a courier service to transport collected, donated umbilical cord blood samples to a nonprofit umbilical cord blood bank located in a city not within a county in existence as of the effective date of this section. The collection sites shall only be those facilities designated and trained by the blood bank in the collection and handling of umbilical cord blood specimens.**

**2. The department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.**

**197.168. Each year between October first and March first and in accordance with the latest recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention, each hospital licensed under this chapter shall offer, prior to discharge and**

**with the approval of the attending physician or other practitioner authorized to order vaccinations or as authorized by physician-approved hospital policies or protocols for influenza vaccinations pursuant to state hospital regulations, immunizations against influenza virus to all inpatients sixty-five years of age and older unless contraindicated for such patient and contingent upon the availability of the vaccine.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 1302** and request the Senate to recede from its position and take up and pass **HCS** for **HB 1302**.

On motion of Senator Richard, the Senate recessed until 1:30 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Kraus.

### **RESOLUTIONS**

Senator Kraus offered Senate Resolution No. 3002, regarding Matthew Lee “Matt” Hartmann, Blue Springs, which was adopted.

Senator Munzlinger offered Senate Resolution No. 3003, regarding Braedyn Hausdorf, Canton, which was adopted.

Senator Munzlinger offered Senate Resolution No. 3004, regarding Jane Hunter, Macon, which was adopted.

### **PRIVILEGED MOTIONS**

Senator Wasson moved that the **CCR** on **HCS** for **SS** for **SB 860** be taken up for adoption, which motion prevailed.

**CCR** on **HCS** for **SS** for **SB 860** was again taken up.

Senator Wasson moved that the above conference committee report be adopted, which motion prevailed by the following vote:

#### **YEAS—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

**NAYS—Senators—None**

**Absent—Senators—None**

Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Wasson, **CCS** for **HCS** for **SS** for **SB 860**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE BILL NO. 860

An Act to repeal sections 143.221, 144.044, 144.049, 144.080, and 144.190, RSMo, and to enact in lieu thereof six new sections relating to taxation, with an existing penalty provision.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Wallingford, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 896**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 896

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 896, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 896, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 896;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 896 be Third Read and Finally Passed.

**FOR THE SENATE:**

/s/ Wayne Wallingford

/s/ Ryan Silvey

/s/ Rob Schaaf

/s/ Joseph P. Keaveny

/s/ Jamilah Nasheed

**FOR THE HOUSE:**

/s/ Kevin Engler

/s/ Kevin Austin

/s/ John Wright

Senator Wallingford moved that the above conference committee report be adopted, which motion prevailed by the following vote:

**YEAS—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	LeVota	Libla	Munzlinger	Nasheed	Pearce	Richard
Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—26						

**NAYS—Senators**

Emery	Kraus	Lager	Lamping	Nieves—5
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Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

Senator Wallingford offered **SA 1**:**SENATE AMENDMENT NO. 1**

Amend Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 896, Page 6, Section 67.585, Line 23 of said page, by striking the following: “two-thirds”.

Senator Wallingford moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Wallingford, **CCS** for **HCS** for **SCS** for **SB 896**, as amended by **SA 1**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 896**

An Act to repeal section 49.272, RSMo, and sections 1 to 21 of an act of the general assembly of the

state of Missouri approved on February 26, 1885, Laws of Missouri, pages 116 to 120, sections 1 to 11 of an act of the general assembly of the state of Missouri approved on February 26, 1885, Laws of Missouri, pages 131 to 133, and sections 1 to 10 of an act of the general assembly of the state of Missouri approved on February 26, 1885, Laws of Missouri, pages 134 and 135, and to enact in lieu thereof four new sections relating to county governance, with a penalty provision.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	LeVota	Libla	Munzlinger	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh
Wasson—25							

NAYS—Senators

Emery	Kraus	Lager	Lamping	Nieves—5
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Absent—Senator Nasheed—1

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Nieves assumed the Chair.

Senator Romine, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **SB 729**, with **HA 1**, **HA 2**, **HA 3**, as amended and **HA 4**, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 729

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 729, with House Amendment Nos. 1, 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3 as amended and House Amendment No. 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 729, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 729;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 729 be Third Read and Finally Passed.

**FOR THE SENATE:**

/s/ Gary Romine

/s/ Eric Schmitt

/s/ Dan Brown

/s/ Joseph P. Keaveny

/s/ Jamilah Nasheed

**FOR THE HOUSE:**

/s/ Jeanie Lauer

/s/ Paul Fitzwater

/s/ Michele Kratky

Senator Romine moved that the above conference committee report be adopted, which motion prevailed by the following vote:

**YEAS—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

**NAYS—Senators—None****Absent—Senators**

Justus                Keaveny—2

Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Romine, **CCS for SCS for SB 729**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 729**

An Act to repeal sections 135.305, 135.710, and 137.010, RSMo, and to enact in lieu thereof five new sections relating to taxation.

Was read the 3rd time and passed by the following vote:

**YEAS—Senators**

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

**NAYS—Senators—None**

Absent—Senator Justus—1

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Wasson moved that **SS** for **SB 691**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SS** for **SB 691**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE BILL NO. 691

An Act to repeal sections 375.003 and 379.118, RSMo, and to enact in lieu thereof three new sections relating to certain personal lines policy provisions.

Was taken up.

Senator Wasson moved that **HCS** for **SS** for **SB 691** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Wasson, **HCS** for **SS** for **SB 691** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Chappelle-Nadal moved that **SB 727**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SB 727**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 727

An Act to amend chapters 144 and 208, RSMo, by adding thereto two new sections relating to farmers' markets.

Was taken up.

Senator Chappelle-Nadal moved that **HCS** for **SB 727**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators

Kraus                Nieves—2

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Chappelle-Nadal, **HCS** for **SB 727**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lamping	LeVota	Libla	Munzlinger	Nasheed
Pearce	Richard	Romine	Sater	Schaefer	Schmitt	Sifton	Silvey
Wallingford	Walsh	Wasson—27					



## NAYS—Senators

Kraus	Lager	Nieves	Schaaf—4
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Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Chappelle-Nadal, title to the bill was agreed to.

Senator Chappelle-Nadal moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Romine moved that **SCS** for **SB 642**, with **HA 1**, be taken up for 3rd reading and final passage, which motion prevailed.

**HA 1** was taken up.

Senator Romine moved that the above amendment be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

## NAYS—Senators

Kraus	Schaaf—2
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Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Romine, **SCS** for **SB 642**, as amended, was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

## NAYS—Senators

Kraus	Schaaf—2
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Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Kraus moved that **SB 655**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SB 655**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 655

An Act to repeal sections 67.281, 441.005, 441.500, 441.760, 441.770, 512.180, 516.350, 534.060, 534.350, 534.360, 534.380, 535.030, 535.110, 535.160, 535.170, 535.200, 535.210, and 569.130, RSMo, and to enact in lieu thereof eighteen new sections relating to property.

Was taken up.

Senator Kraus moved that **HCS** for **SB 655**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Justus—1

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Kraus, **HCS** for **SB 655**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Wasson moved that **SCS** for **SB 809**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SCS** for **SB 809**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 809

An Act to repeal sections 327.011, 327.031, 327.041, 327.051, 327.076, 327.081, 327.091, 327.101, 327.106, 327.131, 327.141, 327.151, 327.161, 327.171, 327.172, 327.181, 327.191, 327.221, 327.231, 327.241, 327.251, 327.261, 327.271, 327.272, 327.312, 327.313, 327.314, 327.321, 327.331, 327.341, 327.351, 327.381, 327.391, 327.392, 327.401, 327.411, 327.442, 327.451, 327.461, 327.600, 327.603, 327.607, 327.612, 327.615, 327.617, 327.619, 327.621, 327.622, 327.623, 327.629, 327.630, 327.631, and 327.635, RSMo, and to enact in lieu thereof fifty new sections relating to licensure by the board for architects, professional engineers, professional land surveyors and professional landscape architects, with an existing penalty provision.

Was taken up.

Senator Wasson moved that **HCS** for **SCS** for **SB 809** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Wasson, **HCS** for **SCS** for **SB 809** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Justus—1

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Pearce assumed the Chair.

Senator Dixon moved that **SB 844**, with **HA 1**, be taken up for 3rd reading and final passage, which motion prevailed.

**HA 1** was taken up.

Senator Dixon moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Dixon, **SB 844**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Chappelle-Nadal moved that **SCS** for **SB 567**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS for SCS for SB 567**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 567

An Act to repeal sections 660.400, 660.403, 660.405, 660.407, 660.409, 660.411, 660.414, 660.416, 660.418, and 660.420, RSMo, and to enact in lieu thereof sixteen new sections relating to adult day care, with penalty provisions.

Was taken up.

Senator Chappelle-Nadal moved that **HCS for SCS for SB 567**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Chappelle-Nadal, **HCS for SCS for SB 567**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Chappelle-Nadal, title to the bill was agreed to.

Senator Chappelle-Nadal moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Dempsey, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HB 1504** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1504

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Bill No. 1504, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 1504, as amended;
2. That the House recede from its position on House Bill No. 1504;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Bill No. 1504, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Caleb Rowden

/s/ Kathie Conway

/s/ Michele Kratky

FOR THE SENATE:

/s/ Tom Dempsey

/s/ Eric Schmitt

/s/ Gary Romine

/s/ Jolie Justus

/s/ Joseph P. Keaveny

Senator Dempsey moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Libla	Munzlinger
Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senator LeVota—1

Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Dempsey, **CCS** for **SS** for **SCS** for **HB 1504**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1504

An Act to repeal section 99.845, RSMo, and to enact in lieu thereof one new section relating to tax increment financing.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Dempsey , title to the bill was agreed to.

Senator Dempsey moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Lager moved that the Senate recede from its position on **SS** for **SCS** for **HCS** for **HB 1302**, which motion prevailed.

On motion of Senator Lager, **HCS** for **HB 1302**, entitled:

An Act to repeal section 643.055, RSMo, and to enact in lieu thereof one new section relating to the regulation of residential wood burning appliances.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None



Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schmitt moved that **SS** for **SB 869**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SS** for **SB 869**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE BILL NO. 869

An Act to repeal sections 21.771, 37.710, 210.027, 210.145, 210.152, 210.160, 210.183, 334.950, 453.073, and 453.074, RSMo, and to enact in lieu thereof ten new sections relating to children, with an existing penalty provision.

Was taken up.

Senator Schmitt moved that **HCS** for **SS** for **SB 869**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Schmitt, **HCS** for **SS** for **SB 869**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf

Schaefer      Schmitt      Sifton      Silvey      Wallingford      Walsh      Wasson—31

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Chappelle-Nadal moved that **SB 794**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SB 794**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 794

An Act to repeal sections 362.333, 375.020, and 382.020, RSMo, and to enact in lieu thereof three new sections relating to insurance regulation.

Was taken up.

Senator Chappelle-Nadal moved that **HCS** for **SB 794** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Chappelle-Nadal, **HCS** for **SB 794** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Pearce	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senators—None

Absent—Senators

Dempsey	Justus	Richard—3
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Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Chappelle-Nadal, title to the bill was agreed to.

Senator Chappelle-Nadal moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Schaaf, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **HCS** for **HB 1685** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON  
SENATE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1685

The Conference Committee appointed on Senate Substitute for House Committee Substitute for House Bill No. 1685, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Committee Substitute for House Bill No. 1685;
2. That the House recede from its position on House Committee Substitute for House Bill No. 1685;
3. That the attached Conference Committee Substitute No. 2 for Senate Substitute for House Committee Substitute for House Bill No. 1685, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Jim Neely  
/s/ Todd Richardson  
/s/ Gina Mitten

FOR THE SENATE:

/s/ Rob Schaaf  
/s/ Jay Wasson  
/s/ David Sater  
/s/ Paul LeVota  
/s/ Jason Holsman

Senator Schaaf moved that the above conference committee report no. 2 be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Emery	Holsman	Keaveny	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Pearce
Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—26						

## NAYS—Senators—None

## Absent—Senators

Curls	Dempsey	Justus	Nieves	Richard—5
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Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Schaaf, **CCS No. 2** for **SS** for **HCS** for **HB 1685**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR  
SENATE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1685

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to the use of investigational drugs, with a penalty provision.

Was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Emery	Holsman	Keaveny	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Pearce
Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—26						

## NAYS—Senators—None

## Absent—Senators

Curls	Dempsey	Justus	Nieves	Richard—5
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Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Kehoe announced photographers from the St. Louis Post Dispatch were given permission to take pictures in the Senate Chamber.

Senator Dixon, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 1231**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1231

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1231, with Senate Amendment Nos. 1, 2, 3, 4, 5, 6, and 7 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1231, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 1231;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1231, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Stanley Cox  
/s/ R. Cornejo  
/s/ Mike Colona

FOR THE SENATE:

/s/ Bob Dixon  
/s/ Kurt Schaefer  
/s/ Eric Schmitt  
/s/ Jolie Justus  
/s/ Joseph P. Keaveny

Senator Dixon moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Emery	Holsman	Keaveny	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Pearce
Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—26						

NAYS—Senators—None

Absent—Senators

Curls	Dempsey	Justus	Nieves	Richard—5
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Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Dixon, **CCS** for **SS** for **SCS** for **HCS** for **HB 1231**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1231

An Act to repeal sections 56.807, 105.711, 302.065, 334.950, 408.040, 452.556, 454.500, 455.007, 456.950, 476.445, 477.081, 477.082, 477.152, 477.160, 477.170, 477.180, 477.181, 477.190, 477.191, 478.320, 478.437, 478.464, 478.513, 478.600, 478.610, 483.140, 488.014, 488.026, 488.305, 516.140, 516.350, 525.040, 525.070, 525.080, 525.230, 525.310, 575.153, 578.501, 578.502, 578.503, and 650.120, RSMo, and to enact in lieu thereof forty-two new sections relating to the administration of justice, with penalty provisions, an effective date for certain sections, and an emergency clause for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Emery	Holsman	Keaveny	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Pearce
Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—26						

NAYS—Senators—None

Absent—Senators

Curls	Dempsey	Justus	Nieves	Richard—5
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Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Emery	Holsman	Keaveny	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Pearce
Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—26						

NAYS—Senators—None

Absent—Senators

Curls	Dempsey	Justus	Nieves	Richard—5
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Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schmitt, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 1831**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1831

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 1831, with Senate Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1831, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 1831;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1831, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick  
/s/ Mike Bernskoetter  
Jill Schupp

FOR THE SENATE:

/s/ Eric Schmitt  
/s/ Rob Schaaf  
David Pearce  
/s/ Jolie Justus  
Joseph Keaveny

Senator Schmitt moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Emery	Holsman	Keaveny	Kehoe
Lager	Lamping	LeVota	Libla	Munzlinger	Nieves	Pearce	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—25

NAYS—Senators—None

Absent—Senators

Curls	Dempsey	Justus	Kraus	Nasheed	Richard—6
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Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Schmitt, **CCS** for **SCS** for **HCS** for **HB 1831**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1831

An Act to repeal sections 210.027 and 210.211, RSMo, and to enact in lieu thereof two new sections relating to child care facilities, with a contingent effective date for a certain section.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Emery	Holsman	Keaveny	Kehoe
Kraus	Lager	LeVota	Libla	Munzlinger	Nasheed	Nieves	Pearce
Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—26						

NAYS—Senators—None

Absent—Senators

Curls	Dempsey	Justus	Lamping	Richard—5
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Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HBs 1665** and **1335** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NOS. 1665 and 1335

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 1665 and 1335, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 1665 and 1335;



2. That the House recede from its position on House Committee Substitute for House Bill Nos. 1665 and 1335;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 1665 and 1335, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Caleb Jones

/s/ Kevin Elmer

/s/ Stephen Webber

FOR THE SENATE:

/s/ Brad Lager

Kurt Schaefer

/s/ Bob Dixon

/s/ Joseph P. Keaveny

/s/ Jolie Justus

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Pearce	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senators—None

Absent—Senators

Curls	Justus	Richard—3
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Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SS** for **SCS** for **HCS** for **HBs 1665** and **1335**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NOS. 1665 & 1335

An Act to repeal sections 57.015, 57.201, 57.220, 57.250, 483.140, 544.216, 610.120, and 610.122, RSMo, and to enact in lieu thereof ten new sections relating to the administration of justice, with penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Pearce	Romine	Sater	Schaaf	Schaefer	Schmitt

Sifton                Silvey                                Wallingford                Walsh                                Wasson—29

NAYS—Senators—None

Absent—Senators

Curls                Richard—2

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Wallingford moved that **SS** for **SB 884**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SS** for **SB 884**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE BILL NO. 884

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance for dental services.

Was taken up.

Senator Wallingford moved that **HCS** for **SS** for **SB 884**, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senators—None

Absent—Senators

Curls                Kraus                                Lager—3

Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Wallingford, **HCS** for **SS** for **SB 884**, was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

## NAYS—Senators—None

Absent—Senator Curls—1

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 575**, entitled:

An Act to repeal sections 8.597, 21.440, 21.445, 21.450, 21.455, 21.460, 21.465, 21.530, 21.535, 21.537, 21.795, 21.800, 21.801, 21.820, 21.835, 21.850, 21.910, 21.920, 30.953, 30.954, 30.956, 30.959, 30.962, 30.965, 30.968, 30.971, 33.150, 33.850, 37.250, 135.210, 135.230, 167.042, 167.195, 191.115, 191.934, 197.291, 208.952, 208.955, 210.153, 215.261, 215.262, 217.025, 217.550, 217.567, 262.950, 301.129, 313.001, 320.092, 338.321, 348.439, 361.120, 383.250, 386.145, 476.681, 620.050, 620.602, 620.1300, 630.010, 630.461, and 650.120, RSMo, section 105.955 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 208.275 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill no. 555 merged with senate substitute no. 2 for house bill no. 648, ninety-sixth general assembly, first regular session, section 208.275 as enacted by senate committee substitute for house committee substitute for house bill no. 464, ninetysixth general assembly, first regular session, and section 476.055 as enacted by conference committee substitute for house committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, and to enact in lieu thereof twenty new sections relating to the existence of certain committees.

With House Amendment No. 1.

**HOUSE AMENDMENT NO. 1**

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 575, Pages 16-18, Section 210.153, Lines 1-64, by deleting all of said section from the bill and inserting in lieu thereof the following:

“210.153. 1. There is hereby created in the department of social services the “Child Abuse and Neglect Review Board”, which shall provide an independent review of child abuse and neglect determinations in instances in which the alleged perpetrator is aggrieved by the decision of the children’s division. The division may establish more than one board to assure timely review of the determination. **In providing an independent review, the boards and their members shall objectively decide whether a preponderance of the evidence establishes that the individual is responsible for child abuse or neglect, and shall make decisions based only on the facts presented to the board. The boards shall be independent of any control or interference by the division in their deliberations. The boards shall act independently of the division so as to assure that due process of the law is afforded to all parties involved in the proceedings. This section shall not be construed to prohibit the department of social services or the children’s division from providing any training or administrative support to the boards.**

2. [The] **Each** board shall consist of nine members, who shall be appointed by the governor with the advice and consent of the senate[, and shall include:

(1) A physician, nurse or other medical professional;

(2) A licensed child or family psychologist, counselor or social worker;

(3) An attorney who has acted as a guardian ad litem or other attorney who has represented a subject of a child abuse and neglect report;

(4) A representative from law enforcement or a juvenile office.

3. Other members of the board may be selected from:

(1) A person from another profession or field who has an interest in child abuse or neglect;

(2) A college or university professor or elementary or secondary teacher;

(3) A child advocate;

(4) A parent, foster parent or grandparent]. **Each board member shall be a resident of the state of Missouri. The term of office of each board member shall be three years. At the time of their appointment, no more than five members of any board shall be of the same political party as the governor. This requirement shall be effective for all nominations made after August 28, 2014.**

[4.] **3.** The following persons may participate [in a child abuse and neglect review board review] **in review proceedings before the board:**

(1) Appropriate children’s division staff and legal counsel for the department;

(2) The alleged perpetrator, who may be represented pro se or be represented by legal counsel. The alleged perpetrator’s presence is not required for the review to be conducted. The alleged perpetrator may submit a written statement for the board’s consideration in lieu of personal appearance; and

(3) Witnesses providing information on behalf of the child, the alleged perpetrator or the department. [Witnesses] **Such persons** shall only be allowed to attend that portion of the review in which they are presenting information.

**4.** The members of the board shall serve without compensation, but shall receive reimbursement for reasonable and necessary expenses actually incurred in the performance of their duties.

[6.] **5.** All records and information compiled, obtained, prepared or maintained by the child abuse and

neglect review board in the course of any review shall be confidential information.

[7.] **6.** The department shall promulgate rules and regulations governing the operation of the child abuse and neglect review board except as otherwise provided for in this section. These rules and regulations shall, at a minimum, [describe the length of terms,] **describe** the selection of the chairperson, confidentiality, notification of parties and time frames for the completion of the review.

[8.] **7.** Findings [of probable cause to suspect prior to August 28, 2004, or findings] by a preponderance of the evidence [after August 28, 2004,] of child abuse and neglect by the division which are substantiated by court adjudication shall not be heard by the child abuse and neglect review board.

**8. No current employee of the department of social services shall serve on the board.”; and**

Further amend said bill, Page 22, Section 361.120, Line 13, by inserting after all of said line the following:

“376.1190. Any health care benefit mandate proposed after August 28, 2011, shall be subject to review by the oversight division of the joint committee on legislative research. The oversight division shall perform an actuarial analysis of the cost impact to private and public payers of any new or revised mandated health care benefit [proposed] **enacted** by the general assembly after August 28, 2011, and a recommendation shall be delivered to the speaker and the president pro tem prior to **July first of the year immediately following the year in which the** mandate [being] **is enacted.**”; and

Further amend said bill, Page 26, Section 650.120, Lines 18-19, by deleting all of said lines and inserting in lieu thereof the following:

“grant program. The grants shall be awarded and used to pay the salaries of detectives and computer forensic personnel whose focus is”; and

Further amend said bill, page and section, Line 36, by deleting all of said line and inserting in lieu thereof the following:

“of the house of representatives; and”; and

Further amend said bill, page and section, Lines 37-39, by deleting all of said lines and inserting in lieu thereof the following:

“(6) One member of the senate [who shall be] appointed by the president pro tem.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 707**, entitled:

An Act to repeal sections 301.010, 301.067, 301.227, 301.700, 304.015, 304.154, 304.190, and 578.120, RSMo, and to enact in lieu thereof eight new sections relating to motor vehicles, with an existing penalty provision.

With House Amendment No. 1.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate

Bill No. 707, Page 11, Section 301.227, Line 68, by removing the opening bracket on said line; and

Further amend said section, Page 12, Line 98, by removing the closing bracket on said line; and

Further amend said bill, Pages 16-17, Section 304.190, Lines 1-68, by removing all of said section and lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

### PRIVILEGED MOTIONS

Senator Kehoe, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **HB 1707** moved that the following conference committee report be taken up, which motion prevailed.

### CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR HOUSE BILL NO. 1707

The Conference Committee appointed on Senate Substitute for House Bill No. 1707, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Bill No. 1707, as amended;
2. That the House recede from its position on House Bill No. 1707;
3. That the attached Conference Committee Substitute for Senate Substitute for House Bill No. 1707, be Third Read and Finally Passed.

#### FOR THE HOUSE:

/s/ Kathie Conway

/s/ Don Phillips

/s/ Rochelle Walton Gray

#### FOR THE SENATE:

/s/ Mike Kehoe

/s/ Brad Lager

/s/ Brian Munzlinger

Scott Sifton

/s/ Jason Holsman

Senator Kehoe moved that the above conference committee report be adopted, which motion prevailed by the following vote:

#### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Pearce	Richard	Romine	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

#### NAYS—Senators—None

#### Absent—Senators

Curls	Keaveny	Sater—3
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Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Kehoe, **CCS** for **SS** for **HB 1707**, as amended by **HA 1**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 1707

An Act to repeal sections 174.709, 174.712, 178.862, 300.320, 304.154, 610.120, and 610.122, RSMo, and to enact in lieu thereof seven new sections relating to the operation of motor vehicles.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Pearce	Richard	Romine	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators—None

Absent—Senators

Curls                Sater—2

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Nieves assumed the Chair.

Senator Dixon moved that **SS** for **SB 575**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SS** for **SB 575**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE BILL NO. 575

An Act to repeal sections 8.597, 21.440, 21.445, 21.450, 21.455, 21.460, 21.465, 21.530, 21.535, 21.537, 21.795, 21.800, 21.801, 21.820, 21.835, 21.850, 21.910, 21.920, 30.953, 30.954, 30.956, 30.959, 30.962, 30.965, 30.968, 30.971, 33.150, 33.850, 37.250, 135.210, 135.230, 167.042, 167.195, 191.115, 191.934, 197.291, 208.952, 208.955, 210.153, 215.261, 215.262, 217.025, 217.550, 217.567, 262.950, 301.129, 313.001, 320.092, 338.321, 348.439, 361.120, 383.250, 386.145, 476.681, 620.050, 620.602, 620.1300, 630.010, 630.461, and 650.120, RSMo, section 105.955 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 208.275 as enacted by senate substitute for senate committee

substitute for house committee substitute for house bill no. 555 merged with senate substitute no. 2 for house bill no. 648, ninety-sixth general assembly, first regular session, section 208.275 as enacted by senate committee substitute for house committee substitute for house bill no. 464, ninety-sixth general assembly, first regular session, and section 476.055 as enacted by conference committee substitute for house committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, and to enact in lieu thereof twenty new sections relating to the existence of certain committees.

Was taken up.

Senator Dixon moved that **HCS** for **SS** for **SB 575**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Holsman	Justus	Kehoe
Kraus	Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford

Wasson—25

NAYS—Senators

Chappelle-Nadal	Keaveny	LeVota	Sifton	Walsh—5
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Absent—Senator Curls—1

Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Dixon, **HCS** for **SS** for **SB 575**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Holsman	Justus	Kehoe
Kraus	Lager	Lamping	Libla	Munzlinger	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

NAYS—Senators

Chappelle-Nadal	Keaveny	LeVota	Sifton	Walsh—5
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Absent—Senators

Curls	Nasheed	Nieves—3
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Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.



Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Pearce, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HB 1553**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1553

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 1553, with Senate Amendment Nos. 1, 2, 3, and 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 1553, as amended;
2. That the House recede from its position on House Bill No. 1553;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 1553, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Dean Dohrman  
/s/ Sue Allen  
Mike Colona

FOR THE SENATE:

/s/ David Pearce  
/s/ Bob Dixon  
/s/ Kurt Schaefer  
/s/ Joseph P. Keaveny  
/s/ Jamilah Nasheed

Senator Pearce moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Kraus—1

Absent—Senator Curls—1

Absent with leave—Senator Parson—1

Vacancies—2

President Pro Tem Dempsey assumed the Chair.

On motion of Senator Pearce, **CCS** for **SCS** for **HB 1553**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1553

An Act to repeal sections 50.660, 50.783, 67.281, 72.401, 82.300, 82.1025, 82.1027, 82.1028, 82.1029, 82.1030, 94.579, 99.805, 99.825, 162.481, 182.802, 349.045, and 483.140, RSMo, and to enact in lieu thereof nineteen new sections relating to political subdivisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Kraus—1

Absent—Senator Curls—1

Absent with leave—Senator Parson—1

Vacancies—2

The President Pro Tem declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HOUSE BILLS ON THIRD READING**

At the request of Senator Silvey, **HCS** for **HBs 1646** and **1515**, with **SCS**, was placed on the Informal Calendar.

**HB 1591**, with **SCA 1**, was placed on the Informal Calendar.

**HCS** for **HB 1739**, entitled:

An Act to amend chapter 115, RSMo, by adding thereto one new section relating to electronic signatures.

Was taken up by Senator Pearce.

Senator Wallingford offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill No. 1739, Page 1, In the Title, Lines 2-3 of the title, by striking “electronic signatures” and inserting in lieu thereof the following: “elections”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after said line the following:

“115.135. 1. Any person who is qualified to vote, or who shall become qualified to vote on or before the day of election, shall be entitled to register in the jurisdiction within which he or she resides. In order to vote in any election for which registration is required, a person must be registered to vote in the jurisdiction of his or her residence no later than 5:00 p.m., or the normal closing time of any public building where the registration is being held if such time is later than 5:00 p.m., on the fourth Wednesday prior to the election, unless the voter is an interstate former resident, an intrastate new resident [or], a new resident, **or a person in federal service, as defined in section 115.275, or a covered voter, as defined in section 115.902. Except as provided in subsection 4 of this section,** in no case shall registration for an election extend beyond 10:00 p.m. on the fourth Wednesday prior to the election. Any person registering after such date shall be eligible to vote in subsequent elections.

2. A person applying to register with an election authority or a deputy registration official shall identify himself or herself by presenting a copy of a birth certificate, a Native American tribal document, other proof of United States citizenship, a valid Missouri drivers license or other form of personal identification at the time of registration.

3. Except as provided in federal law or federal elections and in section 115.277, no person shall be entitled to vote if the person has not registered to vote in the jurisdiction of his or her residence prior to the deadline to register to vote.

**4. A person in federal service as defined in section 115.275, or covered voter as defined in section 115.902, who has been discharged from military service, has returned from a military deployment or activation, or has separated from employment outside the territorial limits of the United States after the deadline to register to vote, and who is otherwise qualified to register to vote, may register to vote in an election in person before the election authority until 5:00 p.m. on the Friday before such election. Such persons shall produce sufficient documentation showing evidence of qualifying for late registration pursuant to this section.”; and**

Further amend the title and enacting clause accordingly.

Senator Wallingford moved that the above amendment be adopted.

At the request of Senator Pearce, **HCS for HB 1739**, with **SA 1** (pending), was placed on the Informal Calendar.

**HCS for HB 1189**, with **SCA 1**, entitled:

An Act to amend chapter 170, RSMo, by adding thereto one new section relating to graduation requirements.

Was called from the Informal Calendar and taken up by Senator Kehoe.

**SCA 1** was taken up.

Senator Kehoe moved that the above committee amendment be adopted, which motion failed.

On motion of Senator Kehoe, **HCS for HB 1189** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown

Chappelle-Nadal

Cunningham

Dempsey

Dixon

Emery

Holsman

Justus

Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators—None

Absent—Senators

Curls                Nasheed—2

Absent with leave—Senator Parson—1

Vacancies—2

The President Pro Tem declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HJR 72**, introduced by Representative Richardson, et al, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing sections 24 and 27 of article IV of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to the governor's budgetary authority.

Was called from the Informal Calendar and taken up by Senator Silvey.

On motion of Senator Silvey, **HJR 72** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves	Pearce	Richard
Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Wasson—25							

NAYS—Senators

Justus	Keaveny	LeVota	Walsh—4
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Absent—Senators

Curls                Holsman—2

Absent with leave—Senator Parson—1

Vacancies—2

The President Pro Tem declared the joint resolution passed.

On motion of Senator Silvey, title to the joint resolution was agreed to.

Senator Silvey moved that the vote by which the joint resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS for SBs 638 and 647.**

With House Amendment Nos. 1 and 2.

#### HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill Nos. 638 & 647, Page 1, In the Title, Line 3, by deleting the words “certain benevolent”; and

Further amend said bill, Page 10, Section 135.647, Line 69, by inserting immediately after said line the following:

“135.700. **1.** For all tax years beginning on or after January 1, 1999, a grape grower or wine producer shall be allowed a tax credit against the state tax liability incurred pursuant to chapter 143, exclusive of the provisions relating to the withholding of tax as provided in sections 143.191 to 143.265, in an amount equal to twenty-five percent of the purchase price of all new **and used** equipment and materials used directly in the growing of grapes or the production of wine in the state. Each grower or producer shall apply to the department of economic development and specify the total amount of such new equipment and materials purchased during the calendar year. The department of economic development shall certify to the department of revenue the amount of such tax credit to which a grape grower or wine producer is entitled pursuant to this section. The provisions of this section notwithstanding, a grower or producer may only apply for and receive the credit authorized by this section for five tax periods.

**2. For the taxable years beginning on or after August 28, 2014, the total amount of tax credits allowed under subsection 1 of this section shall not exceed two hundred thousand dollars annually.**

**3. For all tax years beginning on or after January 1, 2015, a distillery shall be allowed a tax credit against the state tax liability incurred under chapter 143, exclusive of the provisions relating to the withholding of tax as provided in sections 143.191 to 143.265, in an amount equal to twenty-five percent of the purchase price of all new and used equipment and materials used directly in the distilling of spirits in the state, subject to the limitations provided in this section. Each distiller shall apply to the department of economic development and specify the total amount of such new and used equipment and materials purchased during the calendar year. The department of economic development shall certify to the department of revenue the amount of such tax credit to which a distillery is entitled under this section. The provisions of this section notwithstanding, a distiller may apply for and receive the credit authorized by this section for no more than five consecutive tax periods with a total maximum of ten tax periods.**

**4. For the tax years beginning on or after January 1, 2015, the total amount of tax credits authorized under subsection 3 shall not exceed two hundred thousand dollars per taxable year and shall be subject to appropriations. The amount of tax credit claimed shall not exceed the amount of the taxpayer’s state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of twenty-five thousand dollars per taxable year.”;**  
and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill Nos. 638 & 647, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, except sections 143.191 to 143.261, as a production incentive to produce processed wood products in a qualified wood-producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of five years and is to be a tax credit against the tax otherwise due. No new tax credits, provided for under sections 135.300 to 135.311, shall be authorized after June 30, [2013] **2020. In no event shall the aggregate amount of all tax credits allowed under sections 135.300 to 135.311 exceed six million dollars in any given fiscal year and is subject to appropriations.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HB 1468**, and request the Senate recede from its position and take up and pass **HB 1468**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 717**.

With Part 1 of House Amendment No. 1.

#### HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 717, Page 1, In the Title, Line 3, by deleting the words, “legally qualified federal pharmacists” and inserting in lieu thereof the words, “public health”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

“210.1014. 1. There is hereby created the “Amber Alert System Oversight Committee”, whose primary duty shall be to develop criteria and procedures for the Amber alert system and shall be housed within the department of public safety. The committee shall regularly review the function of the Amber alert system and revise its criteria and procedures in cooperation with the department of public safety to provide for efficient and effective public notification **and meet at least annually to discuss potential improvements to the Amber alert system.** As soon as practicable, the committee shall adopt criteria and procedures to expand the Amber alert system to provide urgent public alerts related to homeland security, criminal acts, health emergencies, and other imminent dangers to the public health and welfare.

2. The Amber alert system oversight committee shall consist of ten members of which seven members shall be appointed by the governor with the advice and consent of the senate. Such members shall represent **any of** the following entities: [two representatives of] the Missouri Sheriffs’ Association; [two

representatives of] the Missouri Police Chiefs Association; [one representative of] small market radio broadcasters; [one representative of] large market radio broadcasters; [one representative of] television broadcasters; **the outdoor advertising industry; the public at large; the Missouri Network of Child Advocacy Centers; or the Missouri Broadcasters Association.** The director of the department of public safety shall also be a member of the committee and shall serve as chair of the committee. Additional members shall include one representative of the highway patrol and one representative of the department of health and senior services. **No more than one representative shall be appointed from each of the following entities: the outdoor advertising industry, the public at large, the Missouri Network of Child Advocacy Centers, and the Missouri Broadcasters Association.**

3. Members of the oversight committee shall serve a term of four years, except that members first appointed to the committee shall have staggered terms of two, three, and four years and shall serve until their successor is duly appointed and qualified.

4. Members of the oversight committee shall serve without compensation, except that members shall be reimbursed for their actual and necessary expenses required for the discharge of their duties.

5. The Amber alert system oversight committee shall promulgate rules for the implementation of the Amber alert system. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be invalid and void.

**210.1016. 1. This section shall be known and may be cited as “Hailey’s Law”.**

**2. The Amber alert system shall be integrated into the Missouri uniform law enforcement system (MULES) to expedite the reporting of child abductions.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SB 696**, entitled:

An Act to repeal sections 302.535, 304.351, and 578.120, RSMo, and to enact in lieu thereof four new sections relating to motor vehicles, with penalty provisions.

With House Amendment No. 1.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 696, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“301.067. 1. For each trailer or semitrailer there shall be paid an annual fee of seven dollars fifty cents, and in addition thereto such permit fee authorized by law against trailers used in combination with tractors operated under the supervision of the motor carrier and railroad safety division of the department of

economic development. The fees for tractors used in any combination with trailers or semitrailers or both trailers and semitrailers (other than on passenger-carrying trailers or semitrailers) shall be computed on the total gross weight of the vehicles in the combination with load.

2. Any trailer or semitrailer may at the option of the registrant be registered for a period of three years upon payment of a registration fee of twenty-two dollars and fifty cents.

3. Any trailer as defined in section 301.010 or semitrailer [which is operated coupled to a towing vehicle by a fifth wheel and kingpin assembly or by a trailer converter dolly] may, at the option of the registrant, be registered permanently upon the payment of a registration fee of fifty-two dollars and fifty cents. The permanent plate and registration fee is vehicle specific. The plate and the registration fee paid is nontransferable and nonrefundable, except those covered under the provisions of section 301.442.

301.227. 1. Whenever a vehicle is sold for salvage, dismantling or rebuilding, the purchaser shall forward to the director of revenue within ten days the certificate of ownership or salvage certificate of title and the proper application and fee of eight dollars and fifty cents, and the director shall issue a negotiable salvage certificate of title to the purchaser of the salvaged vehicle. On vehicles purchased during a year that is no more than six years after the manufacturer's model year designation for such vehicle, it shall be mandatory that the purchaser apply for a salvage title. On vehicles purchased during a year that is more than six years after the manufacturer's model year designation for such vehicle, then application for a salvage title shall be optional on the part of the purchaser. Whenever a vehicle is sold for destruction and a salvage certificate of title, junking certificate, or certificate of ownership exists, the seller, if licensed under sections 301.217 to 301.221, shall forward the certificate to the director of revenue within ten days, with the notation of the date sold for destruction and the name of the purchaser clearly shown on the face of the certificate.

2. Whenever a vehicle is classified as "junk", as defined in section 301.010, the purchaser may forward to the director of revenue the salvage certificate of title or certificate of ownership and the director shall issue a negotiable junking certificate [to the purchaser of the vehicle] **which shall authorize the holder to possess, transport, or, by assignment, transfer ownership in such parts, scrap, or junk.** The director may also issue a junking certificate to a possessor of a vehicle manufactured twenty-six years or more prior to the current model year who has a bill of sale for said vehicle but does not possess a certificate of ownership, provided no claim of theft has been made on the vehicle and the highway patrol has by letter stated the vehicle is not listed as stolen after checking the registration number through its nationwide computer system. Such certificate may be granted within thirty days of the submission of a request.

3. [Upon receipt of a properly completed application for a junking certificate, the director of revenue shall issue to the applicant a junking certificate which shall authorize the holder to possess, transport, or, by assignment, transfer ownership in such parts, scrap or junk, and a certificate of title shall not again be issued for such vehicle; except that, the initial purchaser] **Notwithstanding any other provision of law, for any vehicle with a junk or substantially equivalent designation, whether so designated in Missouri or any other state, regardless of whether such designation has been subsequently changed erroneously or by law in this or any other state, the department shall only issue a junking certificate, and a salvage or original certificate of title shall not thereafter be issued for such vehicle. If the vehicle has not previously been designated as junk or any other substantially equivalent designation from this state or any other state, the applicant making the original junking certification application shall, within ninety days, be allowed to rescind [his] the application for a junking certificate by surrendering the junking certificate and apply for a salvage certificate of title in [his] the applicant's name.** The seller of a vehicle



for which a junking certificate has been applied for or issued shall disclose such fact in writing to any prospective buyers before sale of such vehicle; otherwise the sale shall be voidable at the option of the buyer.

4. No scrap metal operator shall acquire or purchase a motor vehicle or parts thereof without, at the time of such acquisition, receiving the original certificate of title or salvage certificate of title or junking certificate from the seller of the vehicle or parts, unless the seller is a licensee under sections 301.219 to 301.221.

5. All titles and certificates required to be received by scrap metal operators from nonlicensees shall be forwarded by the operator to the director of revenue within ten days of the receipt of the vehicle or parts.

6. The scrap metal operator shall keep a record, for three years, of the seller's name and address, the salvage business license number of the licensee, date of purchase, and any vehicle or parts identification numbers open for inspection as provided in section 301.225.

7. Notwithstanding any other provision of this section, a motor vehicle dealer as defined in section 301.550 and licensed under the provisions of sections 301.550 to 301.572 may negotiate one reassignment of a salvage certificate of title on the back thereof.

8. Notwithstanding the provisions of subsection 1 of this section, an insurance company which settles a claim for a stolen vehicle may apply for and shall be issued a negotiable salvage certificate of title without the payment of any fee upon proper application within thirty days after settlement of the claim for such stolen vehicle. However, if the insurance company upon recovery of a stolen vehicle determines that the stolen vehicle has not sustained damage to the extent that the vehicle would have otherwise been declared a salvage vehicle pursuant to subdivision (51) of section 301.010, then the insurance company may have the vehicle inspected by the Missouri state highway patrol, or other law enforcement agency authorized by the director of revenue, in accordance with the inspection provisions of subsection 9 of section 301.190. Upon receipt of title application, applicable fee, the completed inspection, and the return of any previously issued negotiable salvage certificate, the director shall issue an original title with no salvage or prior salvage designation. Upon the issuance of an original title the director shall remove any indication of the negotiable salvage title previously issued to the insurance company from the department's electronic records.

9. Notwithstanding subsection 4 of this section or any other provision of the law to the contrary, if a motor vehicle is inoperable and is at least ten model years old, or the parts are from a motor vehicle that is inoperable and is at least ten model years old, a scrap metal operator may purchase or acquire such motor vehicle or parts without receiving the original certificate of title, salvage certificate of title, or junking certificate from the seller of the vehicle or parts, provided the scrap metal operator verifies with the department of revenue, via the department's online record access, that the motor vehicle is not subject to any recorded security interest or lien and the scrap metal operator complies with the requirements of this subsection. In lieu of forwarding certificates of titles for such motor vehicles as required by subsection 5 of this section, the scrap metal operator shall forward a copy of the seller's state identification along with a bill of sale to the department of revenue. The bill of sale form shall be designed by the director and such form shall include, but not be limited to, a certification that the motor vehicle is at least ten model years old, is inoperable, is not subject to any recorded security interest or lien, and a certification by the seller that the seller has the legal authority to sell or otherwise transfer the seller's interest in the motor vehicle or parts. Upon receipt of the information required by this subsection, the department of revenue shall cancel any

certificate of title and registration for the motor vehicle. If the motor vehicle is inoperable and at least twenty model years old, then the scrap metal operator shall not be required to verify with the department of revenue whether the motor vehicle is subject to any recorded security interests or liens. As used in this subsection, the term “inoperable” means a motor vehicle that is in a rusted, wrecked, discarded, worn out, extensively damaged, dismantled, and mechanically inoperative condition and the vehicle’s highest and best use is for scrap purposes. The director of the department of revenue is directed to promulgate rules and regulations to implement and administer the provisions of this section, including but not limited to, the development of a uniform bill of sale. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

### **HOUSE BILLS ON THIRD READING**

**HB 1591**, introduced by Representatives Brown and Higdon, with **SCA 1**, entitled:

An Act to repeal sections 563.031 and 571.111, RSMo, and to enact in lieu thereof two new sections relating to public safety, with a penalty provision.

Was called from the Informal Calendar and taken up by Senator Nieves.

**SCA 1** was taken up.

Senator Nieves moved that the above committee amendment be adopted, which motion prevailed.

On motion of Senator Nieves, **HB 1591**, as amended, was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Holsman	Keaveny	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nieves	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey
Wallingford	Wasson—26						

#### NAYS—Senators

Chappelle-Nadal	Justus	Nasheed	Walsh—4
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Absent—Senator Curls—1

Absent with leave—Senator Parson—1

Vacancies—2

The President Pro Tem declared the bill passed.

On motion of Senator Nieves, title to the bill was agreed to.

Senator Nieves moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**HCS for HB 1261**, entitled:

An Act to repeal sections 105.145, 238.222, and 238.272, RSMo, and to enact in lieu thereof three new sections relating to transportation development districts.

Was called from the Informal Calendar and taken up by Senator Kraus.

On motion of Senator Kraus, **HCS for HB 1261** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Justus	Kehoe	Kraus
Lager	Lamping	LeVota	Libla	Munzlinger	Nieves	Pearce	Richard
Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—26						

NAYS—Senators—None

Absent—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed—5
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Absent with leave—Senator Parson—1

Vacancies—2

The President Pro Tem declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

**MESSAGES FROM THE HOUSE**

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the **CCR No. 2** on **SS** for **SCS** for **HCS** for **HB 1439**, as amended, and has taken up and passed **CCS No. 2** for **SS** for **SCS** for **HCS** for **HB 1439**.

**PRIVILEGED MOTIONS**

Senator Nieves, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 1439**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1439

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House

Committee Substitute for House Bill No. 1439, with Senate Amendment Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1439, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 1439;
3. That the attached Conference Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1439, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Doug Funderburk

/s/ Ron Hicks

/s/ Michael Frame

FOR THE SENATE:

/s/ Brian Nieves

/s/ Brian Munzlinger

/s/ Bob Dixon

Jolie Justus

Jason Holsman

Senator Nieves moved that the above conference committee report no. 2 be adopted.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HCS** for **HB 2141**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **HCS** for **HB 1371**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **HB 1865**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HCS** for **HB 1689**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HB 1692**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HCS** for **HB 1296**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HCS** for **HB 1614**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **HCS** for **HB 1867**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HCS** for **HB 1225**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HCS** for **HB 1304**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SJR 27**.

Joint resolution ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the **CCR** on **HCS** for **SB 662**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 662**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the **CCR No. 2** on **HCS** for **SCS** for **SB 672**, as amended, and has taken up and passed **CCS No. 2** for **HCS** for **SCS** for **SB 672**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the **CCR No. 2** on **HCS** for **SCS** for **SB 716**, as amended, and has taken up and passed **CCS No. 2** for **HCS** for **SCS** for **SB 716**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the **CCR** on **SCS** for **SB 612**, as amended, and has taken up and passed **CCS** for **SCS** for **SB 612**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the **CCR** on **HCS** for **SCS** for **SB 492**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 492**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the **CCR** on **HCS** for **SB 656**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 656**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the **CCR** on **HCS** for **SB 615**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 615**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCR 31**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCR 32**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCR 43**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up **HCS** for **SCS** for **SB 723**, as amended, and the House has receded from its position on **HCS** as amended, and has taken up and passed **SCS** for **SB 723**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the **CCR** on **HCS** for **SCS** for **SB 664**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 664**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the **CCR** on **HCS** for **SS** for **SB 860**, as amended, and has taken up and passed **CCS** for **HCS** for **SS** for **SB 860**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the **CCR** on **SCS** for **SB 729**, as amended, and has taken up and passed **CCS** for **SCS** for **SB 729**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the **CCR** on **HCS** for **SCS** for **SB 896** and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 896**, as amended by **SA 1**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 842**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **SCR 22**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCR 17**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 829**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the **CCR No. 2** on **HCS** for **SB 621**, as amended, and has taken up and passed **CCS No. 2** for **HCS** for **SB 621**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 773**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 527**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the **CCR** on **HCS** for **SCS** for **SB 852**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 852**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the **CCR No. 2** on **HCS** for **SB 693**, as amended, and has taken up and passed **CCS No. 2** for **HCS** for **SB 693**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the **CCR** on **HCS** for **SS No. 2** for **SB 754**, as amended, and has taken up and passed **CCS** for **HCS** for **SS No. 2** for **SB 754**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **HCS** for **HB 1326**.

Emergency clause defeated.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 767**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 818**.



Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 601**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the **CCR** on **HCS** for **SB 584**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 584**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCR 34**.

## COMMUNICATIONS

Senator Schaaf submitted the following:

May 16, 2014

The Honorable Tom Dempsey  
President Pro Tem  
State Capitol, Room 326  
Jefferson City, MO 65101

Dear Senator Dempsey:

Effective immediately, I resign from the Missouri Consolidated Health Care Plan Board of Trustees.

Sincerely,  
/s/ Rob Schaaf  
Rob Schaaf  
State Senator  
District 34

## RESOLUTIONS

Senator Munzlinger offered Senate Resolution No. 3005, regarding Susan Kohl, which was adopted.

Senator Munzlinger offered Senate Resolution No. 3006, regarding Corrections Officer I Richard Hartwig, Hannibal, which was adopted.

Senator Munzlinger offered Senate Resolution No. 3007, regarding Corrections Officer I Mark Fronick, Bowling Green, which was adopted.

Senator Munzlinger offered Senate Resolution No. 3008, regarding Corrections Officer I Jeffry Householder, Hannibal, which was adopted.

Senator Munzlinger offered Senate Resolution No. 3009, regarding Corrections Officer I Robert Gregory, Hannibal, which was adopted.

Senator Munzlinger offered Senate Resolution No. 3010, regarding Corrections Officer II Jeffry Bradley, New London, which was adopted.

Senator Munzlinger offered Senate Resolution No. 3011, regarding Corrections Officer III Robert Bliss, Frankford, which was adopted.

Senator Munzlinger offered Senate Resolution No. 3012, regarding Corrections Officer I Steven Burgett, Bowling Green, which was adopted.

Senator Munzlinger offered Senate Resolution No. 3013, regarding Corrections Officer II Terry Ince, Frankford, which was adopted.

Senator Munzlinger offered Senate Resolution No. 3014, regarding Corrections Officer II Dan Wiley, Clarksville, which was adopted.

Senator Munzlinger offered Senate Resolution No. 3015, regarding Corrections Officer I Justin Garner, Louisiana, which was adopted.

Senator Munzlinger offered Senate Resolution No. 3016, regarding Corrections Officer I Travis Golden, Hannibal, which was adopted.

Senator Munzlinger offered Senate Resolution No. 3017, regarding Corrections Officer I Gina K. Schilling, Bowling Green, which was adopted.

Senators LeVota and Silvey offered Senate Resolution No. 3018, regarding Kari Lund, which was adopted.

Senator Romine offered Senate Resolution No. 3019, regarding Mary Wiltberger, which was adopted.

Senator Romine offered Senate Resolution No. 3020, regarding Roger Price, which was adopted.

Senator Romine offered Senate Resolution No. 3021, regarding Mari Husman, Viburnum, which was adopted.

Senator Romine offered Senate Resolution No. 3022, regarding Teresa Volner, Lesterville, which was adopted.

Senator Romine offered Senate Resolution No. 3023, regarding Karen Mills, Lesterville, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Schaefer introduced to the Senate, the Physician of the Day, Jerry Kennett, M.D., Columbia.

On motion of Senator Lager, the Senate adjourned until 9:00 a.m., Friday, May 30, 2014.

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# Journal of the Senate

SECOND REGULAR SESSION

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**SEVENTY-FIRST DAY—FRIDAY, MAY 30, 2014**

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The Senate met pursuant to adjournment.

President Pro Tem Dempsey in the Chair.

## **RESOLUTIONS**

On behalf on Senator Kehoe, Senator Richard offered Senate Resolution No. 3024, regarding Carolyn Schwaller, Eugene, which was adopted.

On behalf of Senator Pearce, Senator Richard offered Senate Resolution No. 3025, regarding Patricia L. “Pat” Higgins, Warrensburg, which was adopted.

On behalf of Senator Schmitt, Senator Richard offered Senate Resolution No. 3026, regarding John Milton Wagoner, Saint Louis, which was adopted.

On behalf of Senator Schaaf, Senator Richard offered Senate Resolution No. 3027, regarding David L. and Thelma Steward, which was adopted.

On behalf of Senator Dixon, Senator Richard offered Senate Resolution No. 3028, regarding Dr. Norm Ridder, which was adopted.

On behalf of Senator Kraus, Senator Richard offered Senate Resolution No. 3029, regarding Douglas Tire and Auto Service, Lee’s Summit, which was adopted.

On behalf of Senator Kraus, Senator Richard offered Senate Resolution No. 3030, regarding Pro Deo Youth Center, Lee’s Summit, which was adopted.

On behalf of Senator Kraus, Senator Richard offered Senate Resolution No. 3031, regarding Our Lady of the Presentation Catholic School, Lee’s Summit, which was adopted.

On behalf of Senator Kraus, Senator Richard offered Senate Resolution No. 3032, regarding Julia E. Hampton, CPA, PC, Lee’s Summit, which was adopted.

On behalf of Senator Brown, Senator Richard offered Senate Resolution No. 3033, regarding Jeff Moss, which was adopted.

Senator Richard offered Senate Resolution No. 3034, regarding Rudy Farber, Neosho, which was adopted.

On behalf of Senator Curls, Senator Richard offered Senate Resolution No. 3035, regarding Donna F. Stewart, which was adopted.

On behalf of Senator Keaveny, Senator Richard offered Senate Resolution No. 3036, regarding Alvin Webster Hill, Saint Louis, which was adopted.

On behalf of Senator Keaveny, Senator Richard offered Senate Resolution No. 3037, regarding Jerry Ochonicky, Saint Louis, which was adopted.

On behalf of Senator Keaveny, Senator Richard offered Senate Resolution No. 3038, regarding Martin Tessler, Saint Louis, which was adopted.

On behalf of Senator Nasheed, Senator Richard offered Senate Resolution No. 3039, regarding Tanijah McCoy, which was adopted.

Senator Dempsey offered Senate Resolution No. 3040, regarding Robert Frank Naumann, Saint Charles, which was adopted.

On behalf of Senator Silvey, Senator Richard offered Senate Resolution No. 3041, regarding William T. Cowper, Gladstone, which was adopted.

On behalf of Senator Romine, Senator Richard offered Senate Resolution No. 3042, regarding Betty Meyer, Herculaneum, which was adopted.

On behalf of Senator Romine, Senator Richard offered Senate Resolution No. 3043, regarding Carolyn Sue Weeks, which was adopted.

On behalf of Senator Romine, Senator Richard offered Senate Resolution No. 3044, regarding Linda R. Thomas, which was adopted.

On behalf of Senator Romine, Senator Richard offered Senate Resolution No. 3045, regarding Julie Kay Davis, which was adopted.

On behalf of Senator Romine, Senator Richard offered Senate Resolution No. 3046, regarding Jane L. Cable, which was adopted.

On behalf of Senator Romine, Senator Richard offered Senate Resolution No. 3047, regarding Rose Ann Cole, which was adopted.

On behalf of Senator Romine, Senator Richard offered Senate Resolution No. 3048, regarding Kathy Poggemoeller, which was adopted.

On behalf of Senator Romine, Senator Richard offered Senate Resolution No. 3049, regarding Nancy R. Barr, which was adopted.

On behalf of Senator Romine, Senator Richard offered Senate Resolution No. 3050, regarding Ellen Akins, which was adopted.

Senator Richard offered Senate Resolution No. 3051, regarding the One Hundredth Birthday of Melvin Richards, Neosho, which was adopted.

On behalf of Senator Keaveny, Senator Richard offered Senate Resolution No. 3052, regarding George Ignatius Kennedy, Saint Louis, which was adopted.

On behalf of Senator Kehoe, Senator Richard offered Senate Resolution No. 3053, regarding Colin Craig Webb, Jefferson City, which was adopted.

On behalf of Senator Munzlinger, Senator Richard offered Senate Resolution No. 3054, regarding Ralph L. Thomas, Bucklin, which was adopted.

On behalf of Senator LeVota, Senator Richard offered Senate Resolution No. 3055, regarding Dr. Michael J. Devine, which was adopted.

On behalf of Senator Romine, Senator Richard offered Senate Resolution No. 3056, regarding the UniTec Career Center, Bonne Terre, which was adopted.

On behalf of Senator Silvey, Senator Richard offered Senate Resolution No. 3057, regarding the death of David Earl Cheney, Jr., which was adopted.

Senator Dempsey offered Senate Resolution No. 3058, regarding Troy A. Marroquin, Lake St. Louis, which was adopted.

On behalf of Senator Curls, Senator Richard offered Senate Resolution No. 3059, regarding Nathan Buie, Sr., Kansas City, which was adopted.

On behalf of Senator Nasheed, Senator Richard offered Senate Resolution No. 3060, regarding the death of Bertha Knox Gilkey, which was adopted.

On behalf of Senator Cunningham, Senator Richard offered Senate Resolution No. 3061, regarding Wayne Davis, Pomona, which was adopted.

On behalf of Senator Cunningham, Senator Richard offered Senate Resolution No. 3062, regarding Tom Hatfield, which was adopted.

On behalf of Senator Lamping, Senator Richard offered Senate Resolution No. 3063, regarding Edward Ray Kiely, Saint Louis, which was adopted.

On behalf of Senator Lamping, Senator Richard offered Senate Resolution No. 3064, regarding Henry Benham Soltermann, Overland, which was adopted.

On behalf of Senator Lamping, Senator Richard offered Senate Resolution No. 3065, regarding Harold Albinus Strothkamp, Saint Louis, which was adopted.

On behalf of Senator Lamping, Senator Richard offered Senate Resolution No. 3066, regarding Fred Joseph Belaska, Saint Ann, which was adopted.

On behalf of Senator Lamping, Senator Richard offered Senate Resolution No. 3067, regarding Walter Garfield Grugett, Overland, which was adopted.

On behalf of Senator Dixon, Senator Richard offered Senate Resolution No. 3068, regarding James Thomas Davis, Springfield, which was adopted.

On behalf of Senator Dixon, Senator Richard offered Senate Resolution No. 3069, regarding Daniel Revella, Springfield, which was adopted.

Senator Richard offered Senate Resolution No. 3070, regarding Karen Carlton, which was adopted.

On behalf of Senator Kehoe, Senator Richard offered Senate Resolution No. 3071, regarding Alexx

Matthew Lewis, which was adopted.

On behalf of Senator Wasson, Senator Richard offered Senate Resolution No. 3072, regarding Glenn Scott, Nixa, which was adopted.

### **REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS for SJR 27; SCS for SJR 36; CCS for HCS for SCS for SB 492; CCS for HCS for SCS for SBs 493, 485, 495, 516, 534, 545, 595, 616, and 624; SB 500; HCS for SB 504; HCS for SB 506; HCS for SB 508; SS for SCS for SB 510; SB 523; HCS for SS for SB 525; SB 527; SCS for SB 529; HCS for SCS for SB 530; SS for SCS for SB 532; HCS for SCS for SB 567; HCS for SS for SB 575; CCS for HCS for SB 584; SS for SCS for SB 593; HCS for SB 600; SB 601; HCS for SB 606; SB 609; SB 610; CCS for SCS for SB 612; CCS for HCS for SB 615; CCS No. 2 for HCS for SB 621; SCS for SB 635; SCS for SB 639; SCS for SB 642; HCS for SCS for SB 643; HCS for SB 655; CCS for HCS for SB 656; CCS for HCS for SB 662; CCS for HCS for SCS for SB 664; CCS No. 2 for HCS for SCS for SB 672; SS for SB 673; SCS for SB 675; HCS for SCS for SB 680; SB 689; SB 690; HCS for SS for SB 691; CCS No. 2 for HCS for SB 693; HCS for SS for SB 694; SB 701; SS for SCS for SB 706; CCS No. 2 for HCS for SCS for SB 716; SB 719; SCS for SB 723; HCS for SB 727; CCS for SCS for SB 729; SCS for SB 731; SB 734; SCS for SB 735; SS for SB 741; SS for SB 745; CCS for HCS for SS No. 2 for SB 754; SS for SCS for SB 767; SB 773; SS for SB 782; SCS for SB 785; HCS for SB 794; SB 796; HCS for SCS for SB 808; HCS for SCS for SB 809; SB 812; SB 818; SCS for SB 829; SS for SCS for SB 841; SB 842; SB 844; CCS for HCS for SCS for SB 852; CCS for HCS for SS for SB 860; SS for SB 866; HCS for SS for SB 869; HCS for SS for SB 884; SB 890; SCS for SB 892; CCS for HCS for SCS for SB 896; and SB 907**, begs leave to report that it has examined the same and finds that the joint resolutions and bills have been duly enrolled and that the printed copies furnished the Senators are correct.

### **SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **SCS for SJR 27; SCS for SJR 36; CCS for HCS for SCS for SB 492; CCS for HCS for SCS for SBs 493, 485, 495, 516, 534, 545, 595, 616, and 624; SB 500; HCS for SB 504; HCS for SB 506; HCS for SB 508; SS for SCS for SB 510; SB 523; HCS for SS for SB 525; SB 527; SCS for SB 529; HCS for SCS for SB 530; SS for SCS for SB 532; HCS for SCS for SB 567; HCS for SS for SB 575; CCS for HCS for SB 584; SS for SCS for SB 593; HCS for SB 600; SB 601; HCS for SB 606; SB 609; SB 610; CCS for SCS for SB 612; CCS for HCS for SB 615; CCS No. 2 for HCS for SB 621; SCS for SB 635; SCS for SB 639; SCS for SB 642; HCS for SCS for SB 643; HCS for SB 655; CCS for HCS for SB 656; CCS for HCS for SB 662; CCS for HCS for SCS for SB 664; CCS No. 2 for HCS for SCS for SB 672; SS for SB 673; SCS for SB 675; HCS for SCS for SB 680; SB 689; SB 690; HCS for SS for SB 691; CCS No. 2 for HCS for SB 693; HCS for SS for SB 694; SB 701; SS for SCS for SB 706; CCS No. 2 for HCS for SCS for SB 716; SB 719; SCS for SB 723; HCS for SB 727; CCS for SCS for SB 729; SCS for SB 731; SB 734; SCS for SB 735; SS for SB 741; SS for SB 745; CCS for HCS for SS No. 2 for SB 754; SS for SCS for SB 767; SB 773; SS for SB 782; SCS for SB 785; HCS for SB 794; SB 796; HCS for SCS for SB 808; HCS for SCS for SB 809; SB 812; SB 818; SCS for SB 829; SS for SCS for SB 841; SB 842; SB 844; CCS for HCS for SCS for**

**SB 852; CCS for HCS for SS for SB 860; SS for SB 866; HCS for SS for SB 869; HCS for SS for SB 884; SB 890; SCS for SB 892; CCS for HCS for SCS for SB 896; and SB 907**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the joint resolutions and bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the joint resolutions and bills were so read by the Secretary and signed by the President Pro Tem.

Also,

The President Pro Tem announced that all other business would be suspended and **HB 1064; SS for HCS for HB 1075; HCS for HB 1079; HB 1081; HCS for HB 1085; HCS for HB 1090; SCS for HB 1092; SCS for HB 1132; SCS for HB 1136; HCS for HB 1189; SCS for HB 1190; SCS for HCS for HB 1201; HB 1206; SCS for HCS for HB 1217; HCS for HB 1218; SCS for HCS for HB 1225; CCS for SS for SCS for HCS for HB 1231; HCS for HB 1237; SCS for HB 1238; HB 1245; HCS for HB 1261; SS for SCS for HB 1270; SCS for HCS for HB 1296; HCS for HB 1300; HB 1301; HCS for HB 1302; HCS for HB 1303; SCS for HCS for HB 1304; SCS for HCS for HBs 1307 & 1313; SS for SCS for HCS for HB 1326; HB 1359; CCS for SS for HB 1361; SS for SCS for HCS for HB 1371; HB 1372; HCS for HB 1376; HCS for HB 1389; SCS for HCS for HB 1410; SS for SCS for HB 1411; HCS for HB 1412; HCS for HB 1426; HB 1454; HB 1455; HCS for HB 1459; CCS No. 2 for SS for SCS for HB 1490; CCS for SS for SCS for HB 1504; HB 1506; HCS for HB 1523; CCS for SCS for HB 1553; SCS for HB 1594; HB 1602; HB 1603; SCS for HCS for HB 1614; SCS for HCS for HB 1631; HB 1651; HB 1656; CCS for SS for SCS for HCS for HBs 1665 & 1335; CCS No. 2 for SS for HCS for HB 1685; SCS for HCS for HB 1689; SCS for HB 1692; HB 1693; CCS for SS for HB 1707; HCS for HB 1710; HB 1724; SS for SCS for HCS for HBs 1735 & 1618; SCS for HCS for HB 1779; SCS for HB 1791; CCS for SCS for HCS for HB 1831; HB 1835; SS for SCS for HB 1865; SCS for HB 1866; SS for SCS for HCS for HB 1867; HCS for HB 1882; SCS for HB 1968; HCS for HB 1999; HCS for HB 2001; CCS for SCS for HCS for HB 2002; CCS for SCS for HCS for HB 2003; CCS for SCS for HCS for HB 2004; CCS for SCS for HCS for HB 2005; CCS for SCS for HCS for HB 2006; CCS for SCS for HCS for HB 2007; CCS for SCS for HCS for HB 2008; CCS for SCS for HCS for HB 2009; CCS for SCS for HCS for HB 2010; CCS for SS for SCS for HCS for HB 2011; CCS for SCS for HCS for HB 2012; CCS for SCS for HCS for HB 2013; SCS for HCS for HB 2021; HB 2029; HCS for HB 2040; HB 2077; SCS for HCS for HB 2141; HB 2163; SCS for HCS for HB 2238; HJR 48; SS for HJR 68; HJR 72; SS for SCS for HCS for HJR 90; HCS for HRB 1298; and SCS for HCS for HRB 1299**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills and joint resolutions would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills and joint resolutions were so read by the Secretary and signed by the President Pro Tem.

#### **BILLS DELIVERED TO THE GOVERNOR**

**CCS for HCS for SCS for SB 492; CCS for HCS for SCS for SBs 493, 485, 495, 516, 534, 545, 595, 616, and 624; SB 500; HCS for SB 504; HCS for SB 506; HCS for SB 508; SS for SCS for SB 510; SB 523; HCS for SS for SB 525; SB 527; SCS for SB 529; HCS for SCS for SB 530; SS for SCS for SB 532; HCS for SCS for SB 567; HCS for SS for SB 575; CCS for HCS for SB 584; SS for SCS for SB 593; HCS for SB 600; SB 601; HCS for SB 606; SB 609; SB 610; CCS for SCS for SB 612; CCS for HCS for SB 615; CCS No. 2 for HCS for SB 621; SCS for SB 635; SCS for SB 639; SCS for SB 642; HCS for SCS**

for **SB 643**; **HCS** for **SB 655**; **CCS** for **HCS** for **SB 656**; **CCS** for **HCS** for **SB 662**; **CCS** for **HCS** for **SCS** for **SB 664**; **CCS No. 2** for **HCS** for **SCS** for **SB 672**; **SS** for **SB 673**; **SCS** for **SB 675**; **HCS** for **SCS** for **SB 680**; **SB 689**; **SB 690**; **HCS** for **SS** for **SB 691**; **CCS No. 2** for **HCS** for **SB 693**; **HCS** for **SS** for **SB 694**; **SB 701**; **SS** for **SCS** for **SB 706**; **CCS No. 2** for **HCS** for **SCS** for **SB 716**; **SB 719**; **SCS** for **SB 723**; **HCS** for **SB 727**; **CCS** for **SCS** for **SB 729**; **SCS** for **SB 731**; **SB 734**; **SCS** for **SB 735**; **SS** for **SB 741**; **SS** for **SB 745**; **CCS** for **HCS** for **SS No. 2** for **SB 754**; **SS** for **SCS** for **SB 767**; **SB 773**; **SS** for **SB 782**; **SCS** for **SB 785**; **HCS** for **SB 794**; **SB 796**; **HCS** for **SCS** for **SB 808**; **HCS** for **SCS** for **SB 809**; **SB 812**; **SB 818**; **SCS** for **SB 829**; **SS** for **SCS** for **SB 841**; **SB 842**; **SB 844**; **CCS** for **HCS** for **SCS** for **SB 852**; **CCS** for **HCS** for **SS** for **SB 860**; **SS** for **SB 866**; **HCS** for **SS** for **SB 869**; **HCS** for **SS** for **SB 884**; **SB 890**; **SCS** for **SB 892**; **CCS** for **HCS** for **SCS** for **SB 896**; and **SB 907**, after having been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Governor by the Secretary of the Senate.

## JOINT RESOLUTIONS

### DELIVERED TO THE SECRETARY OF STATE

**SCS** for **SJR 27** and **SCS** for **SJR 36**, after having been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Secretary of State by the Secretary of the Senate.

## COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

May 27, 2014

Ms. Terry Spieler  
Secretary of the Senate  
State Capitol Building  
Jefferson City, MO 65101

Dear Ms. Spieler:

Pursuant to Senate Rule 31, I am establishing the following Senate Select Committee:

**Senate Interim Committee on Tax Administration Practices** to investigate the process and policy used by the Missouri Department of Revenue to interpret, enact and enforce tax statutes and uncover potential conflicts or inconsistencies in the administration of tax law.

The Committee shall consist of seven members as follows:

Sen. Kraus, Chairman  
Sen. Wallingford, Vice-Chair  
Sen. Dixon  
Sen. Emery  
Sen. Schmitt  
Sen. Sifton  
Sen. LeVota

This committee shall be staffed by counsel from Senate Research and may hold public hearings at locations to be determined by the chairman. Reasonable, actual, and necessary expenses of this committee shall be reimbursed by the Missouri Senate.

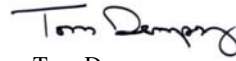
The Committee shall issue a report as to their findings and recommendations, as deemed necessary by a majority of the members of the



committee, to the president pro tempore of the Missouri Senate no later than December 31, 2014.

If you have any questions, please contact me at your earliest convenience.

Sincerely,

A handwritten signature in black ink that reads "Tom Dempsey". The signature is written in a cursive, slightly slanted style.

Tom Dempsey  
President Pro Tempore

On motion of Senator Richard, the Senate adjourned sine die, pursuant to the Constitution.

PETER KINDER  
Lieutenant Governor

TERRY L. SPIELER  
Secretary of the Senate

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# Journal of the Senate

## NINETY-SEVENTH GENERAL ASSEMBLY

### OF THE

### STATE OF MISSOURI

### SECOND REGULAR SESSION

### VETO SESSION

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**FIRST DAY—WEDNESDAY, SEPTEMBER 10, 2014**

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The Senate was called to order in Veto Session by Lieutenant Governor Peter Kinder.

Reverend Carl Gauck offered the following prayer:

“Turn now, O God of host look down from heaven; behold and tend this vine; preserve what your right hand has planted.” (Psalm 80:14-15)

Gracious God, we gather as required to do what is expected during this session. But it also gives us time to come together, so we can enjoy our time with one another and prepare to say our goodbyes to colleagues who leave us. So look upon us and bless our efforts and our calling so we might be of service to You and our people. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

Photographers from KMIZ, KOLR-TV, the Associated Press, Gasconade County Republican, KTVI-TV, KCTV, St. Louis Review, KRCG-TV, Missouri Digital News, KOMU, The Missouri Times, The

Missouri Torch.com, St. Louis Post Dispatch, Examiner.com and Columbia Tribune were given permission to take pictures in the Senate Chamber.

## RESOLUTIONS

Senator Richard offered the following resolution, which was read and adopted:

### SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Article III, Section 32 of the Constitution and is ready for the consideration of its business.

Senator Richard offered the following resolution, which was read and adopted:

### SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate that the rules of the Senate, as adopted by the Ninety-seventh General Assembly, Second Regular Session, be declared to be the rules of the Veto Session of the Ninety-seventh General Assembly.

## COMMUNICATIONS FROM THE GOVERNOR

The following communications, regarding vetoed Senate Bills were received by the Secretary of State, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

June 11, 2014

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662 entitled:

### AN ACT

To repeal sections 143.451, 144.021, and 144.080, RSMo, and to enact in lieu thereof four new sections relating to taxation, with existing penalty provisions.

I disapprove of Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662. My reasons for disapproval are as follows:

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662 would continue a damaging trend by the General Assembly to enact special tax exemptions and credits that pick winners and losers through the tax code and shift a greater proportion of the tax burden to the majority of Missourians unable to utilize such loopholes. Not a penny of the special breaks in this bill or in the others that I am vetoing today<sup>1</sup> was taken into account in the Fiscal Year 2015 budget passed by the General Assembly, leaving it significantly out of balance and requiring swift action to protect the State's fiscal well-being. This is fiscally irresponsible and cannot receive my support.

In enacting Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662 and its brethren in the final hours of the legislative session, the General Assembly disregarded the normal legislative process, slipping in costly provisions without public hearings and without fiscal notes reflecting the impact on the state budget. And just as legislators ignored the legislative process, so too did they disregard the budget process by passing a budget just a week earlier that failed to account for this final day spending spree. Unlike the fiscal impact of Senate Substitute No. 3 for Senate Committee Substitute for Senate Bill Nos. 509 & 496, which today's lawmakers have conveniently foisted off on future budgets for education, public safety and other vital public services, the fiscal impact of the special breaks I am vetoing

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<sup>1</sup> Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584 Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612; Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 693; House Committee Substitute for Senate Bill No. 727; Senate Committee Substitute for Senate Bill No. 829; Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 860; Senate Committee Substitute for House Committee Substitute for House Bill No. 1296; House Bill No. 1455; and Senate Substitute for Senate Committee Substitute for House Bill No. 1865.

today would begin impacting budgets in the fiscal year starting in less than 30 days. There are no delays, triggers, or other gimmicks that could be touted as shielding education, public safety, and other vital public services, at both the state and local level,<sup>2</sup> from the projected \$776 million in state and local revenue legislators voted to send to narrow special interests on the last day of session. While the General Assembly may have abdicated its fiscal responsibilities in failing to account for this budgetary impact, the resulting imbalance cannot be ignored and will have to be corrected through dramatic spending reductions.

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662 and the other measures I am vetoing today would add to the more than 260 sales tax exemptions and tax credits that litter Missouri's tax code without requiring the creation of a single new job. The continued erosion of the tax base through such individualized exemptions and credits violates well-established principles of sound tax policy calling for a broad tax base so that tax rates can remain low. The General Assembly has ignored repeated calls to reduce these costly and inefficient carve-outs and has instead rushed through many more, leaving Missouri families to pick up the tab for education and vital public services.

The unabated growth of such special carve-outs and the fiscal irresponsibility of failing to budget for them are all the more troubling when the General Assembly is simultaneously seeking to raise taxes on all Missourians with what could be the largest tax hike in Missouri history. While the benefits of the more than one billion dollars in annual tax breaks passed by the legislature over the past two months will go disproportionately to the wealthy, the burden of this multi-billion dollar tax increase for transportation would fall disproportionately on Missouri's working families and seniors.

The special breaks in Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662 and the other bills that I am vetoing today are not the mere clarifications that their supporters claim. Instead, they seek to overrule no fewer than twenty Missouri Supreme Court decisions going back to 1977 that have been followed by the department of revenue over the course previous and current administrations. In nearly every one of the cases sought to be overturned, the court ruled that the law enacted by the General Assembly required a tax to be collected, notwithstanding that a particular businesses had hoped to be excused from the legal obligations we all share. While it is well within the rights of a losing litigant to petition their elected representatives, it is wholly disingenuous to call doing so here anything other than what it is—seeking a special exemption from the law, as currently written and as confirmed by the courts.

Throughout my time as Governor, I have worked with legislators on fiscally responsible ways to improve our tax code while protecting our state's fiscal health, including the four tax cuts that I have signed into law. Even during this legislative session, I worked directly with legislators to put forward a specific, concrete proposal that would have lowered taxes for Missourians and reined in costly and inefficient tax credits for special interests, broadened the overall tax base and reduced tax rates, while protecting our ability to invest in education and other vital public services. Unfortunately, the General Assembly refused to enact this broad tax relief in favor of narrow giveaways like those contained in Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662 and the other bills I am vetoing today. For the reasons stated herein, this is an endeavor I cannot support.

### **Retroactive Immunity**

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662 would mandate governmental notification before a business is under any legal obligation to collect and remit sales tax under an administrative or judicial decision that modifies the items subject to tax. As with the various other tax measures the General Assembly rushed through on the last day of session, the Fiscal Year 2015 budget they enacted fails to account for the reduction in revenue that would result from this provision.<sup>3</sup>

Mandatory governmental notification before a law applies would turn on its head the long-standing principle of our democracy that individuals are presumed to know the law. It is one thing to require the government to provide information about recent developments in the law so that those affected can adjust their prospective conduct accordingly, but it is quite another to condition whether that law even applies on whether someone has received a personal notification of the law's existence. This kind of governmental paternalism is unprecedented. This legislative

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<sup>2</sup> In addition to impacting the general local sales tax imposed under Section 32.085, exemptions from local sales tax would reduce revenue collected through numerous voter-approved local sales taxes that are targeted to specific, community supported needs. Examples include the County Anti-Drug Sales Tax, Sections 67.391, 67.392, RSMo; County Construction Sales Tax, Sections 67.550, 67.590, RSMo; Museums and Festivals Sales Tax, Sections 67.571, 67.578, RSMo; Law Enforcement Services Sales Tax, Sections 67.582, 67.584, 92.500, RSMo; Capital Improvements Sales Tax, Sections 67.700, 67.730, 94.577, 94.578, 94.890, RSMo; Storm Water Control and Public Works Sales Tax, Sections 67.701, 67.729, 94.413, RSMo; Public Recreation Projects and Programs Sales Tax, Sections 67.745, 67.782, RSMo; Regional Recreation Districts Sales Tax, Section 67.799, RSMo; Perry County Senior Services and Youth Programs Sales Tax, Section 67.997, RSMo; Economic Development Sales Tax, Sections 67.1300, 67.1303, 67.1305, 94.1008, 94.1010, 94.1012, RSMo; Community Improvement Districts Sales Tax, Section 67.1545, RSMo; Metropolitan Parks and Recreation Districts Sales Tax, Section 67.1712, RSMo; Children's Services Sales Tax, Section 67.1775, RSMo; Water Quality, Tourism, and Infrastructure Sales Tax, Section 67.1922, RSMo; Tourism Community Enhancement Districts Sales Tax, Section 67.1959, RSMo; Exhibition Center and Recreational Facility Districts Sales Tax, Section 67.2000, RSMo; Tourism Promotion Sales Tax, Section 67.2030, RSMo; Construction of Women's and Children's Shelter Sales Tax, Section 67.2040, RSMo; Theater, Cultural Arts, and Entertainment Districts Sales Tax, Section 67.2530, RSMo; Parks, Trails, and Greenways Districts Sales Tax, Section 67.5012, RSMo; Mass Transit Sales Tax, Section 92.402, RSMo; Public Safety Sales Tax, Sections 94.579, 94.581, 94.900, 94.902, RSMo; Community Center Sales Tax, Section 94.585, RSMo; Transportation Sales Tax, Sections 94.605, 94.660, 94.705, RSMo; Historical Locations and Museums Sales Tax, Section 94.950, RSMo; Medical Care for the Medically Indigent Sales Tax, Section 94.1000, RSMo; Kansas City Zoological District Sales Tax, Sections 94.1000, 184.503, RSMo; Transportation Development District Sales Tax, Section 238.235, RSMo; County Transit Authority Sales Tax, Section 238.410, RSMo; and Storm Water Control and Parks Sales Tax, Section 644.032, RSMo.

<sup>3</sup> Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612, which I am also vetoing today, contains a similar provision, but it does not prohibit a business that was properly collecting tax from claiming a refund for taxes paid prior to receiving the notice confirming their obligation to continue doing so. By expressly prohibiting refunds in such situations, Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662 would have a significantly lower fiscal impact than the similar provision in Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612.

session alone the General Assembly passed nearly 200 bills modifying thousands of pages of Missouri law that apply to all manner of conduct. The General Assembly should not have to send a letter to every Missourian no power before this legion of new laws takes effect. Similarly, every potential criminal should not have to receive a notice describing this year's revisions to the state's criminal code before they can be prosecuted under it.

This provision in Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662 also misunderstands the tax law. Although a decision of the director of revenue is listed as an example of a "modification" triggering notification under the bill, the director has no power to finally determine whether an item is taxable or not; that authority lies solely with those who write the tax laws—the General Assembly—and those that finally interpret them—the Missouri Supreme Court. *See* Mo. Const. Art. V, Sec. 3 (giving the Missouri Supreme Court exclusive appellate jurisdiction over the construction of the revenue laws of this state). Similarly, a decision of the administrative hearing commission is listed as something that can trigger notification under the bill. However, while the administrative hearing commission has the power to hear individual disputes, a decision of that body is not binding beyond the parties, and therefore it cannot finally "modify" what is or is not taxable for other affected sellers.

Although a decision of the Missouri Supreme Court might "change[ ] which items of tangible personal property or services are taxable" within the meaning of the bill, the decisions that purportedly prompted this provision and many of the new exemptions passed on the final day of the legislative session did not. In each of those cases, the Missouri Supreme Court found that the current law, as enacted by the General Assembly, required a tax to be paid, notwithstanding that a particular business had tried to get out of this legal obligation.<sup>4</sup> The decisions did not newly subject some item to tax; instead, they simply confirmed that such items were and are taxable. However, there is nothing in the bill preventing a business from arguing that court decisions like these are "modifications" triggering notification to all affected sellers that the Missouri Supreme Court has confirmed that what was always taxable continues to be taxable.

The bill provides far-reaching consequences for such a notification. Under the bill, a failure to notify an affected seller "shall relieve such seller of liability for taxes that would be due under the modification." *See* Section 144.021.2. Accordingly, receiving a notification gives any business that was not collecting taxes prior to the notice retroactive immunity for taxes that the Missouri Supreme Court has confirmed should have been collected. Under this bill, even the specific business that sought to avoid paying taxes, hired a lawyer to litigate the issue, and lost in court, could argue that it has no tax liability for the taxes the court ordered it to pay prior to being notified about the decision in its own case.

The problems with this provision extend beyond retroactive immunity to the additional governmental intrusion and burden on taxpayers resulting from the requirement to provide a personal notification to each and every affected seller. Such individualized notification will require the department of revenue to more closely and more frequently scrutinize sales data and other business information it obtains and to potentially require additional information in order to determine precisely which businesses might be affected by a given decision. In addition, because addresses, ownership and personal contact information change over time, the department would need to gather updated information more frequently and perhaps maintain a database of such information to ensure cost-effective compliance with the personalized notification requirement of the bill. The need to continually maintain up-to-date information would result in additional burdens for taxpayers that could be avoided with a less onerous, and likely more effective, method of providing generalized notice of updates in the law than the personal notification mandated by Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662.

If it were to become law, Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662 would create no shortage of work for tax attorneys and consultants. It provides a clear incentive for businesses to engage in otherwise unnecessary litigation in the hopes of obtaining a "decision" arguably constituting a "modification" in order to trigger individual notification and then retroactive immunity if they were violating the law. Moreover, it will require all taxpayers to bear the cost of staffing and postage to comply with the personal notification mandate, while putting additional burdens on businesses through additional government intrusion into their affairs. While providing up-to-date information to taxpayers is a laudable policy, Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662 fails to accomplish it and instead puts additional burden on taxpayers and significantly reduces state and local revenue. Accordingly, this measure does not receive my support.

### **Special Exemption for Personal Seat Licenses**

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662 would exempt from tax a right of first refusal for tickets sold at the Sprint Center in Kansas City. As with the other new exemptions enacted in this and similar bills, the General Assembly failed to account for the fiscal impact of this exemption in the Fiscal Year 2015 budget they enacted. It is unclear why this activity should receive a new special tax exemption, and it is even more unclear why the General Assembly would pass a special law, potentially violating the Missouri Constitution, in order to effectuate it. Unfortunately, because this provision never received a public hearing, the answer remains as elusive as my support.

### **Corporate Income Allocation**

<sup>4</sup> This is true whether it was the court reaffirming this year that the tax a laundry first sought to avoid had been in place since at least 1989, *see AAA Laundry & Linen Supply Co. v. Director of Revenue*, 425 S.W.3d 126, 127 (Mo. banc 2014) (discussing *Unitog Rental Services, Inc. v. Director of Revenue*, 779 S.W.2d 568 (Mo. banc 1989)), affirming that the General Assembly's laws did not exempt the purchases claimed as tax free by convenience stores, restaurants, or grocery stores, *see Aquila Foreign Qualifications Corp. v. Director of Revenue*, 362 S.W.3d 1, 2 (Mo. banc 2012); *Brinker Missouri, Inc. v. Director of Revenue*, 319 S.W.3d 433, 435 (Mo. banc 2010); *Union Elec. Co. v. Director of Revenue*, 425 S.W.3d 118, 120 (Mo. banc 2014), or clarifying in 2008 that "tax is due for 'fees paid to, or in any place of amusement, entertainment or recreation,'" *see Michael Jaudes Fitness Edge, Inc. v. Director of Revenue*, 248 S.W.3d 606 (Mo. banc 2008) (affirming denial of refund claim for taxes paid at fitness center based on *Wilson's Total Fitness Center, Inc. v. Director of Revenue*, 38 S.W.3d 424 (Mo. banc 2001)).

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662 would enable additional businesses to reduce their corporate income taxes by utilizing an alternative method of calculating the amount of their income that is derived in Missouri. Legislation enacted last year authorized this alternative allocation method for manufacturers and other businesses selling tangible personal property. This provision would expand this alternative method to sellers of intangible personal property and service providers such as law firms, accounting firms, stock brokers, bond traders, real estate holding companies, and consultants.

Like many of the tax measures enacted during the final hours of the legislative session, this provision was never the subject of a public hearing and was not accounted for in the Fiscal Year 2015 budget passed by the General Assembly. A change to Missouri's tax policy that would reduce state revenues by up to \$15 million annually according to the legislature's own estimate should be the subject of open debate, and the foregone revenue must be accounted for in the budget in order to receive my support.

In accordance with the above-stated reasons, I am returning Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662 without my approval.

Sincerely,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY

65102

June 11, 2014

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 829 entitled:

AN ACT

To repeal section 136.300, RSMo, and to enact in lieu thereof one new section relating to tax liability disputes.

I disapprove of Senate Committee Substitute for Senate Bill No. 829. My reasons for disapproval are as follows:

Senate Committee Substitute for Senate Bill No. 829 would continue a damaging trend by the General Assembly to enact special tax exemptions and credits that pick winners and losers through the tax code and shift a greater proportion of the tax burden to the majority of Missourians unable to utilize such loopholes. Not a penny of the special breaks that I am vetoing today<sup>1</sup> or the provisions of this bill making such special breaks far easier to exploit was taken into account in the Fiscal Year 2015 budget passed by the General Assembly, leaving it significantly out of balance and requiring swift action to protect the State's fiscal well-being. This is fiscally irresponsible and cannot receive my support.

In enacting Senate Committee Substitute for Senate Bill No. 829 and its brethren in the final hours of the legislative session, the General Assembly disregarded the normal legislative process, slipping in costly provisions without public hearings and without fiscal notes reflecting the impact on the state budget. And just as legislators ignored the legislative process, so too did they disregard the budget process by passing a budget just a week earlier that failed to account for this final day spending spree. Unlike the fiscal impact of Senate Substitute No. 3 for Senate Committee Substitute for Senate Bill Nos. 509 & 496, which today's lawmakers have conveniently foisted off on future budgets for education, public safety and vital public services, the fiscal impact of the special breaks I am vetoing today would begin impacting budgets in the fiscal year starting in less than 30 days. There are no delays, triggers, or other gimmicks that could be touted as shielding education, public safety, and other vital public services, at both the state and local level, from the projected \$776 million in state and local revenue legislators voted to send to narrow special interests on the last day of session. While the General Assembly may have abdicated its fiscal responsibilities in failing to account for this budgetary impact, the resulting imbalance cannot be ignored and will have to be corrected through

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<sup>1</sup> Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584 Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612; Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662; Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 693; House Committee Substitute for Senate Bill No. 727; Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 860; Senate Committee Substitute for House Committee Substitute for House Bill No. 1296; House Bill No. 1455; and Senate Substitute for Senate Committee Substitute for House Bill No. 1865.

dramatic spending reductions.

Throughout my time as Governor, I have worked with legislators on fiscally responsible ways to improve our tax code while protecting our state's fiscal health, including the four tax cuts that I have signed into law. Even during this legislative session, I worked directly with legislators to put forward a specific, concrete proposal that would have lowered taxes for Missourians and reined in costly and inefficient tax credits for special interests, broadened the overall tax base and reduced tax rates, while protecting our ability to invest in education and other vital public services. Unfortunately, the General Assembly refused to enact this broad tax relief in favor of narrow giveaways like those contained in the bills that I am vetoing today and which would be facilitated by Senate Committee Substitute for Senate Bill No. 829. For the reasons stated herein, this is an endeavor I cannot support.

#### **Proving Eligibility for Tax Exemptions**

While the other bills that I am vetoing today create broad new tax exemptions, Senate Committee Substitute for Senate Bill No. 829 would make these new exemptions, as well as the more than 200 sales tax exemptions in current law, far easier to exploit by no longer requiring a business claiming a tax exemption to prove it is actually eligible for the claimed exemption.

While I support eliminating the arbitrary limitation in current law that puts the burden of proof on some businesses but not others in determining tax liability, when it comes to someone trying to claim a tax exemption, they should at a minimum be required to show that they are entitled to it. Claiming a special carve-out or loophole without evidence to support it is unfair to the vast majority of Missouri taxpayers who lack the influence to get special tax exemptions crafted for them by the General Assembly. With the help of the legislature and the best accounting and legal advice, those fortunate enough to take advantage of special exemptions would now be given every incentive to push the outer boundaries of any exemptions that could conceivably apply, further eroding the tax base and shifting an even greater tax burden to the majority of taxpayers. Not content with merely showering the fortunate with a cavalcade of new tax breaks, the General Assembly has gone further to stack the deck in their favor and to provide an added incentive to try on an exemption just to see if it fits. This is not a tax policy that I can support.

In accordance with the above-stated reasons for disapproval and for the reasons stated in the other veto messages issued this day, I am returning Senate Committee Substitute for Senate Bill No. 829 without my approval.

Sincerely,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

June 11, 2014

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584 entitled:

AN ACT

To repeal sections 136.300, 142.815, 143.221, 143.451, 144.010, 144.018, 144.020, 144.030, 144.044, 144.080, 144.190, and 221.407, RSMo, and to enact in lieu thereof fifteen new sections relating to taxation, with an existing penalty provision.

I disapprove of Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584. My reasons for disapproval are as follows:

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584 would continue a damaging trend by the General Assembly to enact special tax exemptions and credits that pick winners and losers through the tax code and shift a greater proportion of the tax burden to the majority of Missourians unable to utilize such loopholes. Not a penny of the special breaks in this bill or in the others that I am vetoing today<sup>1</sup> was taken into account in the Fiscal Year 2015 budget passed by the General Assembly, leaving it significantly out of

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<sup>1</sup> Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612; Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662; Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 693; House Committee Substitute for Senate Bill No. 727; Senate Committee Substitute for Senate Bill No. 829; Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 860; Senate Committee Substitute for House Committee Substitute for House Bill No. 1296; House Bill No. 1455; and Senate Substitute for Senate Committee Substitute for House Bill No. 1865.

balance and requiring swift action to protect the state's fiscal well-being. This is fiscally irresponsible and cannot receive my support.

In enacting Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584 and its brethren in the final hours of the legislative session, the General Assembly disregarded the normal legislative process, slipping in costly provisions without public hearings and without fiscal notes reflecting the impact on the state budget. And just as legislators ignored the legislative process, so too did they disregard the budget process by passing a budget just a week earlier that failed to account for this final day spending spree. Unlike the fiscal impact of Senate Substitute No. 3 for Senate Committee Substitute for Senate Bill Nos. 509 & 496, which today's lawmakers have conveniently foisted off on future budgets for education, public safety and other vital public services, the fiscal impact of the special breaks I am vetoing today would begin impacting budgets in the fiscal year starting in less than 30 days. There are no delays, triggers, or other gimmicks that could be touted as shielding education, public safety, and other vital public services, at both the state and local level,<sup>2</sup> from the projected \$776 million in state and local revenue legislators voted to send to narrow special interests on the last day of session. While the General Assembly may have abdicated its fiscal responsibilities in failing to account for this budgetary impact, the resulting imbalance cannot be ignored and will have to be corrected through dramatic spending reductions.

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584 and the other measures I am vetoing today would add to the more than 260 sales tax exemptions and tax credits that litter Missouri's tax code without requiring the creation of a single new job. The continued erosion of the tax base through such individualized exemptions and credits violates well-established principles of sound tax policy calling for a broad tax base so that tax rates can remain low. The General Assembly has ignored repeated calls to reduce these costly and inefficient carve-outs and has instead rushed through many more, leaving Missouri families to pick up the tab for education and other vital public services.

The unabated growth of such special carve-outs and the fiscal irresponsibility of failing to budget for them are all the more troubling when the General Assembly is simultaneously seeking to raise taxes on all Missourians with what could be the largest tax hike in Missouri history. While the benefits of the more than one billion dollars in annual tax breaks passed by the legislature over the past two months will go disproportionately to the wealthy, the burden of this multi-billion dollar tax increase for transportation would fall disproportionately on Missouri's working families and seniors.

The special breaks in Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584 and the other bills that I am vetoing today are not the mere clarifications that their supporters claim. Instead, they seek to overrule no fewer than twenty Missouri Supreme Court decisions going back to 1977 that have been followed by the department of revenue over the course of previous and current administrations. In nearly every one of the cases sought to be overturned, the court ruled that the law enacted by the General Assembly required a tax to be collected, notwithstanding that a particular business had hoped to be excused from the legal obligations we all share. While it is well within the rights of a losing litigant to petition their elected representatives, it is wholly disingenuous to call doing so here anything other than what it is—seeking a special exemption from the law, as currently written and as confirmed by the courts.

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<sup>2</sup> In addition to impacting the general local sales tax imposed under Section 32.085, exemptions from local sales tax would reduce revenue collected through numerous voter-approved local sales taxes that are targeted to specific, community supported needs. Examples include the County Anti-Drug Sales Tax, Sections 67.391, 67.392, RSMo; County Construction Sales Tax, Sections 67.550, 67.590, RSMo; Museums and Festivals Sales Tax, Sections 67.571, 67.578, RSMo; Law Enforcement Services Sales Tax, Sections 67.582, 67.584, 92.500, RSMo; Capital Improvements Sales Tax, Sections 67.700, 67.730, 94.577, 94.578, 94.890, RSMo; Storm Water Control and Public Works Sales Tax, Sections 67.701, 67.729, 94.413, RSMo; Public Recreation Projects and Programs Sales Tax, Sections 67.745, 67.782, RSMo; Regional Recreation Districts Sales Tax, Section 67.799, RSMo; Perry County Senior Services and Youth Programs Sales Tax, Section 67.997, RSMo; Economic Development Sales Tax, Sections 67.1300, 67.1303, 67.1305, 94.1008, 94.1010, 94.1012, RSMo; Community Improvement Districts Sales Tax, Section 67.1545, RSMo; Metropolitan Parks and Recreation Districts Sales Tax, Section 67.1712, RSMo; Children's Services Sales Tax, Section 67.1775, RSMo; Water Quality, Tourism, and Infrastructure Sales Tax, Section 67.1922, RSMo; Tourism Community Enhancement Districts Sales Tax, Section 67.1959, RSMo; Exhibition Center and Recreational Facility Districts Sales Tax, Section 67.2000, RSMo; Tourism Promotion Sales Tax, Section 67.2030, RSMo; Construction of Women's and Children's Shelter Sales Tax, Section 67.2040, RSMo; Theater, Cultural Arts, and Entertainment Districts Sales Tax, Section 67.2530, RSMo; Parks, Trails, and Greenways Districts Sales Tax, Section 67.5012, RSMo; Mass Transit Sales Tax, Section 92.402, RSMo; Public Safety Sales Tax, Sections 94.579, 94.581, 94.900, 94.902, RSMo; Community Center Sales Tax, Section 94.585, RSMo; Transportation Sales Tax, Sections 94.605, 94.660, 94.705, RSMo; Historical Locations and Museums Sales Tax, Section 94.950, RSMo; Medical Care for the Medically Indigent Sales Tax, Section 94.1000, RSMo; Kansas City Zoological District Sales Tax, Sections 94.1000, 184.503, RSMo; Transportation Development District Sales Tax, Section 238.235, RSMo; County Transit Authority Sales Tax, Section 238.410, RSMo; and Storm Water Control and Parks Sales Tax, Section 644.032, RSMo.



Throughout my time as Governor, I have worked with legislators on fiscally responsible ways to improve our tax code while protecting our state's fiscal health, including the four tax cuts that I have signed into law. Even during this legislative session, I worked directly with legislators to put forward a specific, concrete proposal that would have lowered taxes for Missourians and reined in costly and inefficient tax credits for special interests, broadened the overall tax base and reduced tax rates, while protecting our ability to invest in education and other vital public services. Unfortunately, the General Assembly refused to enact this broad tax relief in favor of narrow giveaways like those contained in Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584 and the other bills I am vetoing today. For the reasons stated herein, this is an endeavor I cannot support.

### **Special Exemptions for the Storage and Processing of Data in Any Form**

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584 would exempt from state and local sales tax electrical energy, machinery, equipment, parts and materials used or consumed in connection with or to facilitate the storage or processing of data in any form in a facility or a part of a facility. These exceedingly broad and completely new state and local sales tax exemptions are not the thoroughly vetted, widely-supported, revenue-neutral incentive for new and expanding data centers that has been introduced in the General Assembly for the past several years.

Although this provision is projected to reduce state and local revenues by an estimated \$300 million annually, because it was slipped into the bill in the final hours of the legislative session without a public hearing and without a fiscal note reflecting its cost, it is unlikely legislators were aware of this significant fiscal impact when they voted to enact it. And as with the other new exemptions enacted in Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584 and the other bills I am vetoing today, the General Assembly failed to account for the resulting reduction in state revenue in the budget they enacted for the fiscal year starting July 1, necessitating spending cuts in order to maintain a balanced a budget.

These new exemptions in Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584 have been characterized by some as applying only to "data centers." However, such is not the case. The legislation itself does not use the term "data center." Instead, the language is far broader, applying to "any facility or part of a facility that is used primarily for such data storage or processing," which means that any business with a computer could attempt to claim these broad new exemptions. The term "data storage" is undefined, and the term "processing" is broadly defined to encompass "any action or process performed upon or using data in any form." As this definition indicates, it is not merely electronic or other forms of "high tech" data that would be subject to these new exemptions, but rather data "in any form," whether stored in a computer or in a file cabinet.

This broad subsidy stands in stark contrast to legislation that I have supported in the past to provide a revenue-neutral incentive for new and expanding data centers that create new jobs and make new capital investments.<sup>3</sup> Such legislation has been introduced in the Missouri General Assembly for the past several years and has been thoroughly debated and vetted through the legislative process. *See, e.g.* Senate Bill No. 8 (1<sup>st</sup> Ex. Session 2011); Senate Bill No. 584 (2012); House Bill No. 1311 (2012); Senate Bill No. 46 (2013); Senate Bill No. 394 (2013); House Bill No. 222 (2013); Senate Bill No. 633 (2014); Senate Bill No. 1502 (2014). Indeed, during the past legislative session there was a public hearing on House Bill No. 1444 (2014), which would have enacted this fiscally responsible data center incentive.

Unfortunately, that is not what was inserted into Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584 in the final hours of the legislative session. Inserted instead was a broad government subsidy without any of the taxpayer protections present in previous legislation and without any requirement to create even a single new job. Specifically, previous data center legislation contained the following protections, none of which is present here:

- **Job creation** – Required a minimum number of jobs paying at least the county average wage to be created in order for a new or expanding data center to obtain the exemption;
- **Capital investment** – Required a minimum amount of new capital investment in order for a new or expanding data center to obtain the exemption;
- **Revenue neutral** – Limited the amount of the sales tax exemption to the amount that would result in a positive general revenue return to the state, thereby ensuring that the exemption would be revenue neutral;

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<sup>3</sup> Even without a specific data center incentive, Missouri has been successful in recruiting and growing such operations in the state. For example, in April I was pleased to announce the opening of a mission critical data center for a premier cloud computing company in the underground business complex in Northeast Kansas City owned and operated by Hunt Midwest, which will result in the creation of 21 new jobs and \$58 million in new capital investment. With the continued growth of high-tech companies like these, it is no wonder that Missouri was the fastest-growing state for technology employment in 2013, even without a dedicated data center incentive.

- **New and expanding data centers only** – Limited the availability of the sales tax exemption to solely new or expanding data centers, as defined by NAICS classification, to provide an incentive for such facilities to locate or expand in Missouri, not merely a subsidy for all facilities, regardless of whether they are already operating in Missouri; and
- **Rigorous oversight** – Previous data center legislation required random audits of recipients to ensure that the recipient was actually eligible for the exemption.

In addition to failing to include any of the above taxpayer protections found in previous data center legislation, these broad new exemptions would play favorites with the tax code by providing more generous tax benefits for data storage and processing than is currently available to numerous other types of businesses. First, while the current sales tax exemptions for manufacturers in Section 144.054, RSMo, only apply to state sales taxes, this bill would exempt the same type of purchases for data storage and processing activities from local sales taxes as well. Second, while the current manufacturing sales tax exemptions require the tax-exempt items to be actually used in the manufacturing process, these new exemptions for data storage and processing would apply even if the items are used simply “in connection with” or “to facilitate” the storage and processing of data. This could result in purchases only very loosely connected, if at all, to the actual storage and processing of data being claimed as tax-exempt. Offering these broad new exemptions from state and local tax would treat those who manipulate data better than those who manufacture goods, without a clearly articulated economic justification for doing so, without requiring the creation of a single new job, and without accounting for the impact on state and local budgets. Accordingly, this provision does not receive my support.

### **Special Exemption for Power Companies**

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584 would also provide a special carve-out from state and local taxes for purchases of a variety of items used in the generation, transmission, distribution, sale or furnishing of electricity by power companies. This provision is written so broadly that these entities could avoid paying any sales and use tax whatsoever, although there is nothing in the bill that would require them to create any new jobs or to pass the savings along to consumers in the form of reduced electricity rates. These new exemptions would abrogate a 2001 Missouri Supreme Court case, which held that the law enacted by the General Assembly did not authorize such tax exemptions for power companies. *See Utilicorp United, Inc. v. Director of Revenue*, 75 S.W.3d 725 (Mo. banc 2001) (machinery and equipment used in transmission of electricity not exempt under Section 144.030, RSMo).

Like other tailor-made exemptions in Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584, these new tax exemptions for power companies were inserted during the final hours of the legislative session without a public hearing in any Senate committee. Although not included in any fiscal note for Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584, this provision could reduce state revenue by more than \$30 million annually, none of which was accounted for by the legislature in the budget they enacted just a week earlier.

Furthermore, there is nothing in this provision to prevent the power companies from claiming exemptions from local sales taxes on top of their exemptions from state taxes, which would result in an additional \$30 million annual impact to local revenues. Following its passage, proponents have suggested a narrow interpretation<sup>4</sup> of the provision to apply only to state taxes because the language is silent as to whether local taxes are also exempted. However, in order to exempt state sales tax and not also exempt the local tax, the legislature must expressly make the exemption inapplicable to local sales tax, as it did in the only current exemption from the state sales taxes that does not also apply to the local sales tax. *See* Section 155.054.2, RSMo (“The exemptions granted in this subsection shall not apply to local sales taxes as defined in section 32.085 . . .”). It is necessary to expressly exclude the local sales tax because Section 32.087, RSMo, incorporates all state sales tax exemptions to the local sales tax.<sup>5</sup> The General Assembly acknowledged this in Senate Substitute for Senate Committee Substitute for House Bill No. 1865, which I am also vetoing today, and which sought to provide state-only tax exemptions for certain purchases by fast food restaurants, convenience stores, and grocery stores, by expressly stating that the exemptions do not apply to the local sales tax. *See* Section 144.055.3 (“The exemptions granted in this section shall not apply to the local sales tax law as defined in section 32.085”). Mere silence as to whether a state sales tax exemption applies to the local sales tax is insufficient to exempt local taxes, as indicated by other state and local sales tax exemptions that only expressly reference an exemption from the state tax. *See, e.g.,* Section 144.030.1, RSMo; Section 144.062, RSMo. Accordingly, there is nothing in the bill to prevent the power companies from one day seeking a refund of local taxes paid after the effective date of the law, significantly impacting the budgets of local communities.

### **Special Exemptions for Certain Recreation Activities**

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584 contains a provision that its proponents contend

<sup>4</sup> There is some irony in urging a narrow interpretation of the new exemptions provided by this bill when in the Missouri Supreme Court case sought to be abrogated the power company argued for an expansive interpretation of the tax exemptions at issue. *See Utilicorp United, Inc., 75 S.W.3d at 725-30.*

<sup>5</sup> Section 32.087.8, RSMo, provides:

“All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.”

*See also President Casino, Inc. v. Director of Revenue*, 219 S.W.3d 235, 241–42 (mo.banc 2007)(highlighting Section 32.087.8 as an example of where, “[t]he legislature has specifically and directly incorporated sales tax exemptions into a number of other tax statutes. . .”). Notably the 97<sup>th</sup> General Assembly reenacted Section 32.087.8 last year in Senate Bill 99 (2013), Senate Bill 23 (2013), and House Bill 184 (2013), and each time continued the reference to all state sales tax exemptions applying equally to the local tax.

would simply clarify the current sales tax on fitness activities. Instead, this provision seeks to overturn more than a dozen Missouri Supreme Court cases going back to 1977 followed by the department of revenue over the course of previous and current administrations by fundamentally transforming the current sales tax on “amusement, entertainment, and recreation” into a tax solely on tickets and fees for admission.<sup>6</sup> Such a dramatic change in the law would make far more than just gym memberships and yoga classes tax free. It would also exempt fees paid at bowling alleys, golf courses, pool halls, country clubs, and arcades, as well as encouraging any business that currently charges an admission fee to convert it into a newly tax-exempt fee for a specific activity. Enacting this sweeping new exemption would further erode the tax base without requiring the creation of even a single new job, in addition to reducing state and local revenue for education, public safety and other vital public services by more than \$70 million annually. The Fiscal Year 2015 budget passed by the General Assembly fails to account for the cost of these new carve-outs, putting the budget out of balance and necessitating spending reductions in order to balance it.

### **Tax Refunds to Delinquent Taxpayers**

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584 would modify the established process for obtaining a sales tax refund by allowing a refund even if a taxpayer currently has overdue taxes. This provision is projected to reduce state and local revenue by up to \$10 million annually, although the General Assembly failed to account for any of this fiscal impact in the Fiscal Year 2015 budget they passed. As with many of the tax measures passed by the legislature on the last day of session, this provision was not the subject of a public hearing in any Senate committee.

This provision would enable a business with significant tax delinquencies to get a tax refund for an unrelated overpayment of tax, where under current law the refund could be offset by the amount of tax delinquency. For example, under this provision even a business that owes \$100,000 in back taxes would be able to get a refund check from the state for a \$100,000 unintentional overpayment, so long as the \$100,000 tax delinquency is subject to appeal. Under current law, the \$100,000 refund would be offset by the entire \$100,000 tax delinquency, thereby eliminating the need to later engage in costly and inefficient collection efforts to recover the \$100,000 in overdue taxes. Such a change to the established refund process would unfairly reward those who fail to pay their taxes and would result in costly inefficiencies borne by all law-abiding taxpayers. Accordingly, this provision does not receive my support.

### **Corporate Income Allocation**

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584 would enable additional businesses to reduce their corporate income taxes by utilizing an alternative method of calculating the amount of their income that is derived in Missouri. Legislation enacted last year authorized this alternative allocation method for manufacturers and other businesses selling tangible personal property. This provision would expand this alternative method to sellers of intangible personal property and service providers such as law firms, accounting firms, stock brokers, bond traders, real estate holding companies, and consultants.

Like many of the tax measures enacted during the final hours of the legislative session, this provision was never the subject of a public hearing and was not accounted for in the Fiscal Year 2015 budget passed by the General Assembly. A change to Missouri’s tax policy that would reduce state revenues by up to \$15 million annually according to the legislature’s own estimate should be the subject of open debate, and the foregone revenue must be accounted for in the budget in order to receive my support.

### **Proving Eligibility for Tax Exemptions**

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<sup>6</sup> The cases abrogated or called into question by this provision include: *Michael Jaudes Fitness Edge, Inc. v. Director of Revenue*, 248 S.W.3d 606 (Mo. banc 2008) (fees paid for personal training subject to tax as fees paid in or to a place of amusement); *Surrey's on the Plaza, Inc. v. Director of Revenue*, 128 S.W.3d 508 (Mo. banc 2004) (operation of horse-drawn carriage tours was place of amusement for sales tax purposes); *Eighty Hundred Clayton Corp. v. Director of Revenue*, 111 S.W.3d 409 (Mo. banc 2003) (fees paid for bowling shoe rental subject to tax when paid in or to a place of amusement); *Wilson's Total Fitness Center, Inc. v. Director of Revenue*, 38 S.W.3d 424 (Mo. banc 2001) (athletic and fitness clubs are places of amusement for sales tax purposes); *Kanakuk-Kanakomo Kamps, Inc. v. Director of Revenue*, 8 S.W.3d 94 (Mo. banc 1999) (summer camps are place of amusement for sales tax purposes); *Old Warson Country Club v. Director of Revenue*, 933 S.W.2d 400 (Mo. banc 1996) (country club is a place of amusement for sales tax purposes); *High Adventure Game Ranch, Inc. v. Director of Revenue*, 824 S.W.2d 905 (Mo. banc 1992) (wild game ranch is a place of amusement for sales tax purposes); *Bally's LeMan's Family Fun Centers, Inc. v. Director of Revenue*, 745 S.W.2d 683 (Mo. banc 1988) (video arcade is a place of amusement for sales tax purposes); *Spudich v. Director of Revenue*, 745 S.W.2d 677 (Mo. banc 1988) (billiards parlor is a place of amusement for sales tax purposes); *Lynn v. Director of Revenue*, 689 S.W.2d 45 (Mo. banc 1985) (nautical excursion vessel is a place of amusement for sales tax purposes); *Fostaire Harbor, Inc. v. Director of Revenue*, 679 S.W.2d 272 (Mo. banc 1984) (helicopter tours are a place of amusement for sales tax purposes); *City of Springfield v. Director of Revenue*, 659 S.W.2d 782 (Mo. banc 1983) (city recreational facilities are a place of amusement for sales tax purposes); *St. Louis Country Club v. Administrative Hearing Com'n of Missouri*, 657 S.W.2d 614 (Mo. banc 1983) (private country clubs are a place of amusement for sales tax purposes); *Blue Springs Bowl v. Spradling*, 551 S.W.2d 596 (Mo. banc 1977) (commercial bowling establishment is a place of amusement for sales tax purposes).

Not only would Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584 create broad new tax exemptions, it would also excuse a business trying to claim these or any of the other 200 sales tax exemptions in current law from having to prove that it is actually eligible for the claimed exemption.

While I support eliminating the arbitrary limitation in current law that puts the burden of proof on some businesses but not others in determining tax liability, when it comes to someone trying to claim a tax exemption, they should at a minimum be required to show that they are entitled to it. Claiming a special carve-out or loophole without evidence to support it is unfair to the vast majority of Missouri taxpayers who lack the influence to get special tax exemptions crafted for them by the General Assembly. With the help of the legislature and the best accounting and legal advice, those fortunate enough to take advantage of special exemptions would now be given every incentive to push the outer boundaries of any exemptions that could conceivably apply, further eroding the tax base and shifting an even greater tax burden to the majority of taxpayers. Not content with merely showering the fortunate with a cavalcade of new tax breaks, the General Assembly has gone further to stack the deck in their favor by providing an added incentive to try on an exemption just to see if it fits. This is not a tax policy that I can support.

In accordance with the above-stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584 without my approval.

Sincerely,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

June 17, 2014

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Bill No. 673 entitled:

AN ACT

To repeal sections 288.060, 288.122, and 288.330, RSMo, and to enact in lieu thereof three new sections relating to employment security.

I disapprove of Senate Substitute for Senate Bill No. 673. My reasons for disapproval are as follows:

Senate Substitute for Senate Bill No. 673 would reduce the benefits that an eligible claimant may receive under our state's unemployment benefits system. It would do so by replacing the maximum number of weeks of unemployment benefits that an eligible claimant can receive, which is currently 20 weeks, through a calculation indexed to the average statewide unemployment rate. Under this new calculation, claimants eligible for unemployment benefits would be limited to no more than 13 weeks of benefits if the average statewide unemployment rate were below 6%. Claimants could only receive the current maximum of 20 weeks of benefits if the statewide average unemployment rate were 9% or higher. This reduction in benefits would unfairly impact eligible claimants, have a disparate impact on regions of the state experiencing slower economic growth and impede economic recovery. This legislation is particularly unnecessary given that the state retired its unemployment trust fund obligations to the federal government last month.

The reduction to 13 weeks mandated under Senate Substitute for Senate Bill No. 673 would occur in a system that is hardly lucrative when measured against the rest of the country. Missouri's average weekly unemployment benefit amount is currently the 46<sup>th</sup> lowest in the nation. Missouri, at 20 weeks, is one of only eight states that pay less than the national norm of 26 weeks of benefits. If this legislation became law, Missouri, at 13 weeks, would have the third lowest benefit duration in the country, behind only Florida and North Carolina. Missouri's current unemployment benefits system is already among the most restrictive in the country. Measured against the status quo, therefore, the additional limitations mandated by Senate Substitute for Senate Bill No. 673 are clearly unnecessary.

Supporters of Senate Substitute for Senate Bill No. 673 claim the legislation is an attempt to address the solvency of the unemployment trust fund, and cite the state's debt to the federal government incurred to provide benefits during the most recent recession. The need underpinning their purported solution, however, no longer exists. As noted above, last month, the state repaid its obligations to the federal government, and this legislation would do little to curtail the need to borrow during future economic downturns.

Senate Substitute for Senate Bill No. 673 also fails to take into account regional disparities in unemployment rates with a one size fits all

approach that would reduce the duration of benefits based on a statewide average rate, while ignoring unique local economic conditions. For example, in February 2014, the unemployment rate for the state was 6.4%, while at the same time ten Missouri counties had an unemployment rate of 10% or higher. Indexing the duration of unemployment benefits to a statewide rate would result in significant reductions in benefits for unemployed individuals in areas of the state with much higher unemployment rates, and would dramatically slow the recovery in those regions. If a large local employer had massive layoffs or ceased operations, the impact to the county or region's unemployment rate could be profound without materially increasing the statewide rate. In such a situation, the number of unemployed in the affected county or region could far exceed the number of jobs available in the area. Those unemployed individuals would be faced with less time for benefits to assist them while searching for gainful employment in an extremely competitive market saturated with more unemployed individuals than available jobs.

Lastly, Senate Substitute for Senate Bill No. 673 would render Missouri's unemployment benefits system unable to respond to sudden spikes in unemployment often accompanying economic downturns. The bill would base current benefits on previous economic conditions. The duration of benefits reduced under Senate Substitute for Senate Bill No. 673 would apply to all unemployed individuals in the state for an entire year based upon a snapshot of the statewide average unemployment rate taken during the third quarter of the previous calendar year. This would minimize the ability of the unemployment system to help stabilize the economy in instances where dramatic increases in unemployment occur in the first or second quarter of the calendar year. Under such circumstances, the duration of benefits, pegged at the previous year's calculated rate, would remain unchanged and artificially low despite the increase in unemployment.

In accordance with the above stated reasons for disapproval, I am returning Senate Substitute for Senate Bill No. 673 without my approval.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

July 14, 2014

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Committee Substitute for Senate Bill No. 841 entitled:

AN ACT

To repeal sections 407.925, 407.926, 407.927, 407.929, 407.931, 407.933, and 407.934, RSMo, and to enact in lieu thereof seven new sections relating to alternative nicotine or vapor products, with penalty provisions.

I disapprove of Senate Substitute for Senate Committee Substitute for Senate Bill No. 841. My reasons for disapproval are as follows:

Senate Substitute for Senate Committee Substitute for Senate Bill No. 841 would exclude "alternative nicotine products" and "vapor products" – including "electronic cigarettes" – from the definition of "tobacco products" and prohibit them from being regulated or taxed as "tobacco products" under Missouri law. This bill, which is supported by sellers of such products and at least one major tobacco manufacturer but is opposed by leading health organizations, creates a façade of regulation and is actually harmful to Missourians because of the special exemptions it provides for these dangerous products. As a result, it does not meet with my approval.

"Electronic cigarettes" are nicotine delivery devices that resemble traditional tobacco cigarettes in appearance, use and function, and share a signature ingredient – the highly addictive chemical nicotine, which is derived from tobacco. Electronic cigarettes typically consist of a cartridge and battery that deliver nicotine to users by heating a liquid solution containing propylene glycol (which can cause eye and respiratory irritation), glycerine, flavoring agents, and nicotine. This process creates a nicotine-infused aerosol that, similar to tobacco smoke from traditional tobacco cigarettes, the smoker inhales and exhales. Studies have also noted the presence of formaldehyde (a known carcinogen) and acetaldehyde (a possible carcinogen) in the aerosol. Electronic cigarettes are frequently marketed and branded with names reflecting flavors added to the nicotine aerosol. Though electronic cigarettes are relatively new, having been patented in 2003 by a Chinese pharmacist and sold in the United States only since 2007, they are growing in popularity with sales projected to top \$1.5 billion in the United States this year. These electronic cigarettes are increasingly manufactured by big tobacco companies.<sup>1</sup>

<sup>1</sup> The bill also encompasses other relatively new "alternative nicotine products" such as flavored dissolvable pellets or flat strips containing ground tobacco.

Because Senate Substitute for Senate Committee Substitute for Senate Bill No. 841 would limit any additional state regulation of these products and would contravene pending federal regulations, it does not receive my approval.

First, Missouri law should not limit the regulation of products derived from tobacco that contain a highly addictive chemical and carcinogenic, noxious chemicals. Not unlike traditional tobacco cigarettes, these products may carry significant health risks to users and others through direct and secondhand inhalation in a manner not unlike traditional tobacco cigarettes. Leading health organizations oppose Senate Substitute for Senate Committee Substitute for Senate Bill No. 841, including the American Cancer Society; the American Lung Association; the American Heart Association; the Missouri State Medical Association; the Missouri Association of Osteopathic Physicians; the Missouri Academy of Family Physicians; the Campaign for Tobacco-Free Kids; and Tobacco Free Missouri, and for good reasons. Through direct and secondhand exposure, e-cigarette smokers inhale an aerosol containing nicotine, which is addictive and derived from tobacco; propylene glycol, which can cause eye and respiratory irritation; and also likely formaldehyde, a known carcinogen, and acetaldehyde, a possible carcinogen. Studies have also found the presence of heavy metal particles such as tin, nickel, copper, lead and chromium in the aerosol, which can deposit in smokers' lungs and cause respiratory problems. A 2009 FDA study also detected the presence of diethylene glycol, a toxic chemical commonly used in antifreeze, in e-cigarette samples. These products are barely a decade old, and their sales are skyrocketing. We should not enact an outright ban on regulating and taxing as "tobacco products" these tobacco-derived products that contain harmful substances, including carcinogens, particularly when the short and long-term health risks of these products are still being evaluated. The special treatment for these tobacco-derived products provided in Senate Substitute for Senate Committee Substitute for Senate Bill No. 841 would validate the as yet unproven claim that they are safer than traditional tobacco products.

Second, Senate Substitute for Senate Committee Substitute for Senate Bill No. 841 would harm the health of Missourians because it would contravene and undermine more comprehensive proposed federal regulation. Unlike Senate Substitute for Senate Committee Substitute for Senate Bill 841, federal FDA regulations proposed earlier this year would classify electronic cigarettes and similar nicotine products as "tobacco products." The proposed FDA rules would prohibit sales to minors (as would this bill), but, unlike Senate Substitute for Senate Committee Substitute for Senate Bill No. 841, would also require electronic cigarette manufacturers to provide health warnings; register with the FDA and report product and ingredient listings; market new products only after FDA review; make claims of reduced risk only if the FDA concludes that there is supporting scientific evidence and that marketing the product will benefit public health; not distribute free samples; and not sell in vending machines, unless in locations off limits to youths. Considering that these products contain the tobacco derivative and highly addictive chemical compound nicotine, mimic traditional tobacco cigarettes in use, appearance, and function, pose significant health risks that are still being evaluated, and are increasingly manufactured by big tobacco companies, regulating them as traditional tobacco products, as the FDA is proposing, does not seem unreasonable.

Proponents of Senate Substitute for Senate Committee Substitute for Senate Bill No. 841 tout its ban on sales to minors, but the proposed FDA regulations also ban sales to minors. In light of this ban in the FDA regulations, the primary and more significant consequence of Senate Substitute for Senate Committee Substitute for Senate Bill No. 841 is its limitation on additional regulations. I would support legislation banning sales to minors and classifying these products as "tobacco products" as appropriate first steps in state regulation without impeding additional federal regulation, but I will not support the false pretense of reform and circumvention of more stringent federal regulation that would result from Senate Substitute for Senate Committee Substitute for Senate Bill No. 841.

As noted above, leading health organizations uniformly oppose this bill. By contrast, manufacturers of alternative nicotine products, sellers of such products, and at least one major tobacco manufacturer are supporters of the bill. At a minimum, prohibiting the regulation and taxation as "tobacco products" of products that are derived from tobacco is premature and would create uncertainty around the proposed FDA regulations. At worst, this prohibition may be part of a larger strategy by the tobacco industry to stop the implementation of the FDA regulations or ensnare them in protracted litigation. Whether Senate Substitute for Senate Committee Substitute for Senate Bill No. 841 is merely premature or instead motivated by more insidious reasons, the bill is harmful to the health of Missourians.

In accordance with the above stated reasons for disapproval, I am returning Senate Substitute for Senate Committee Substitute for Senate Bill No. 841 without my approval.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

June 11, 2014

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 860 entitled:

AN ACT

To repeal sections 143.221, 144.044, 144.049, 144.080, and 144.190, RSMo, and to enact in lieu thereof six new sections relating to taxation, with an existing penalty provision.

I disapprove of Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 860. My reasons for disapproval are as follows:

Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 860 would continue a damaging trend by the General Assembly to enact special tax exemptions and credits that pick winners and losers through the tax code and shift a greater proportion of the tax burden to the majority of Missourians unable to utilize such loopholes. Not a penny of the special breaks in this bill or in the others that I am vetoing today<sup>1</sup> was taken into account in the Fiscal Year 2015 budget passed by the General Assembly, leaving it significantly out of balance and requiring swift action to protect the State's fiscal well-being. This is fiscally irresponsible and cannot receive my support.

In enacting Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 860 and its brethren in the final hours of the legislative session, the General Assembly disregarded the normal legislative process, slipping in costly provisions without public hearings and without fiscal notes reflecting the impact on the state budget. And just as legislators ignored the legislative process, so too did they disregard the budget process by passing a budget just a week earlier that failed to account for this final day spending spree. Unlike the fiscal impact of Senate Substitute No. 3 for Senate Committee Substitute for Senate Bill Nos. 509 & 496, which today's lawmakers have conveniently foisted off on future budgets for education, public safety and other vital public services, the fiscal impact of the special breaks I am vetoing today would begin impacting budgets in the fiscal year starting in less than 30 days. There are no delays, triggers, or other gimmicks that could be touted as shielding education, public safety, and other vital public services, at both the state and local level, from the projected \$776 million in state and local revenue legislators voted to send to narrow special interests on the last day of session. While the General Assembly may have abdicated its fiscal responsibilities in failing to account for this budgetary impact, the resulting imbalance cannot be ignored and will have to be corrected through dramatic spending reductions.

Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 860 and the other measures I am vetoing today would add to the more than 260 sales tax exemptions and tax credits that litter Missouri's tax code without requiring the creation of a single new job. The continued erosion of the tax base through such individualized exemptions and credits violates well-established principles of sound tax policy calling for a broad tax base so that tax rates can remain low. The General Assembly has ignored repeated calls to reduce these costly and inefficient carve-outs and has instead rushed through many more, leaving Missouri families to pick up the tab for education and other vital public services.

The unabated growth of such special carve-outs and the fiscal irresponsibility of failing to budget for them are all the more troubling when the General Assembly is simultaneously seeking to raise taxes on all Missourians with what could be the largest tax hike in Missouri history. While the benefits of the more than one billion dollars in annual tax breaks passed by the legislature over the past two months will go disproportionately to the wealthy, the burden of this multi-billion dollar tax increase for transportation would fall disproportionately on Missouri's working families and seniors.

Throughout my time as Governor, I have worked with legislators on fiscally responsible ways to improve our tax code while protecting our

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<sup>1</sup> Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584; Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612; Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662; Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 693; House Committee Substitute for Senate Bill No. 727; Senate Committee Substitute for Senate Bill No. 829; Senate Committee Substitute for House Committee Substitute for House Bill No. 1296; House Bill No. 1455; and Senate Substitute for Senate Committee Substitute for House Bill No. 1865.

state's fiscal health, including the four tax cuts that I have signed into law. Even during this legislative session, I worked directly with legislators to put forward a specific, concrete proposal that would have lowered taxes for Missourians and reined in costly and inefficient tax credits for special interests, broadening the overall tax base and reducing tax rates, while protecting our ability to invest in education and other vital public services. Unfortunately, the General Assembly refused to enact this broad tax relief in favor of narrow giveaways like those contained in Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 860 and the other bills I am vetoing today. For the reasons stated herein, this is an endeavor I cannot support.

#### **Tax Refunds to Delinquent Taxpayers**

Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 860 would modify the established process for obtaining a sales tax refund by allowing a refund even when a taxpayer currently has overdue taxes. This provision is projected to reduce state and local revenue by up to \$10 million annually, although the General Assembly failed to account for any of this fiscal impact in the Fiscal Year 2015 budget they passed. As with many of the tax measures passed by the legislature on the last day of session, this provision was not the subject of a public hearing in any Senate committee.

This provision would enable a business with significant tax delinquencies to get a tax refund for an unrelated overpayment of tax, where under current law the refund could be offset by the amount of tax delinquency. For example, under this provision even a business that owes \$100,000 in back taxes would be able to get a refund check from the state for a \$100,000 unintentional overpayment, so long as the \$100,000 tax delinquency is subject to appeal. Under current law, the \$100,000 refund would be offset by the entire \$100,000 tax delinquency, thereby eliminating the need to later engage in costly and inefficient collection efforts to recover the \$100,000 in overdue taxes. Such a change to the established refund process would unfairly reward those who fail to pay their taxes and would result in costly inefficiencies borne by all law-abiding taxpayers. Accordingly, this provision does not receive my support.

#### **Sales Tax Holiday Expansion**

Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 860 expands the back-to-school sales tax holiday by adding graphing calculators to the list of items that can be purchased tax-free. This expansion is projected to reduce state revenue by as much as \$200,000 annually, which the General Assembly failed to account for in the Fiscal Year 2015 budget they passed. Like many of the tax provisions passed during the final day of session, this provision was not the subject of a public hearing in any Senate committee. Because Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 860 expands the current sales tax holiday without the General Assembly accounting for the accompanying revenue reduction in the budget they enacted, this expansion does not receive my approval.

In accordance with the above-stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 860 without my approval.

Sincerely,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

July 10, 2014

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Bill No. 866 entitled:

AN ACT

To amend chapter 408, RSMo, by adding thereto one new section relating to installment loan lenders.

I disapprove of Senate Substitute for Senate Bill No. 866. My reasons for disapproval are as follows:

Senate Substitute for Senate Bill No. 866 would create a new term to describe a short-term lender not licensed as a bank or credit union—a “traditional installment lender”—and would restrict the authority of local governments with respect to such entities. Because this change would unduly interfere with local control, the bill does not receive my approval.

The new classification “traditional installment lenders” sought to be established in Senate Substitute for Senate Bill No. 866 would cover two types of consumer lenders licensed by the state—consumer installment lenders and small loan companies. Small loan companies can make loans of \$500 and over, while consumer installment lenders can make loans of any amount, but the loans must be repaid in at least four



installments over at least 120 days. There are no restrictions on the interest consumer installment lenders or small loan companies can impose and just last year the General Assembly increased the maximum amount of origination fees consumer installment lenders and small loan companies can charge. *See* Senate Committee Substitute for House Bill No. 329 (2013).

A number of Missouri municipalities have enacted ordinances that impose zoning, permitting, and other restrictions on short-term, small loan lenders.<sup>1</sup> For example, the City of Kansas City enacted an ordinance in 2007 regulating “short-term loan establishments” and broadened its ordinance in 2011 to specifically regulate consumer installment lenders. Kansas City was able to successfully defend this ordinance against court challenge brought by one of the regulated lenders. Perhaps recognizing this legislation as an assault on their authority to maintain this ordinance, the City of Kansas City was able to obtain a carve-out from the restrictions of this bill.

Unfortunately, the rest of Missouri’s political subdivisions were not so fortunate, since Senate Substitute for Senate Bill No. 866 would preempt any existing charter provision or ordinance that does not “expressly apply” to “traditional installment lenders” as of August 28, 2014. Because this bill would also be creating the new label of “traditional installment lenders,” it is highly unlikely that any current ordinances or charter provisions “expressly apply” to such newly-christened lenders. Moreover, Senate Substitute for Senate Bill No. 866 would also prevent communities from modifying current ordinances or charter provisions to address this type of lender in the future because such ordinances or charter provisions would not have been in effect prior to the effective date of the bill.

Because it would erode local control in areas such as zoning that fall squarely fall within the traditional police powers of local communities, Senate Substitute for Senate Bill No. 866 does not receive my approval.

In accordance with the above stated reasons for disapproval, I am returning Senate Substitute for Senate Bill No. 866 without my approval.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

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<sup>1</sup> Communities such as Arnold, Bellefontaine Neighbors, Berkeley, Blue Springs, Independence, Kansas City, St. Ann, St. Louis, and Valley Park have enacted such ordinances that could be preempted under this bill.

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

July 2, 2014

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Committee Substitute for Senate Bill No. 593 entitled:

AN ACT

To repeal section 115.124, RSMo, and to enact in lieu thereof two new sections relating to nonpartisan elections.

I disapprove of Senate Substitute for Senate Committee Substitute for Senate Bill No. 593. My reasons for disapproval are as follows:

Senate Substitute for Senate Committee Substitute for Senate Bill No. 593 would authorize municipalities with 1,000 or fewer residents to cancel an election if the number of candidates that initially filed for office is equal to the number of vacancies to be filled for the office. To take advantage of this authority, the municipality’s voters must approve a ballot measure and then renew the authority by a public vote every six years.

Like legislation I have vetoed in the past, Senate Substitute for Senate Committee Substitute for Senate Bill No. 593 would limit the rights of Missouri citizens to support write-in candidates and therefore does not receive my approval. The previously-vetoed Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 (2011) contained a provision cancelling elections in municipalities with populations of less than 35,000, which would have affected more than 900 Missouri municipalities. My veto message pointed out that cancelling an election when the number of candidates is equal to the number of available positions would preclude citizens from electing a candidate through the write-in process, which is particularly important when voters learn something negative about the declared candidate after the deadline for filing but before the election.

Although somewhat improved by virtue of the public vote to authorize and reauthorize the option to cancel elections, Senate Substitute for Senate Committee Substitute for Senate Bill No. 593 contains the same infirmity presented by Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 (2011) with respect to write-in candidates. Write-in candidates do not have to file until the Wednesday before the election, but they would no longer be able to do so in the more than 650 Missouri municipalities affected by this bill, even if negative information about the unopposed candidate came to light prior to the election but after regular candidate filing had closed. Moreover, the small municipalities covered by this provision are precisely the communities in which write-in candidates are the most likely to succeed. Because I support the rights of citizens to elect write-in candidates I do not support this bill.

In accordance with the above stated reasons for disapproval, I am returning Senate Substitute for Senate Committee Substitute for Senate Bill No. 593 without my approval.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

July 9, 2014

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 523 entitled:

AN ACT

To amend chapter 167, RSMo, by adding thereto one new section relating to the use of radio frequency identification technology in school districts.

I disapprove of Senate Bill No. 523. My reasons for disapproval are as follows:

Senate Bill No. 523 is the latest effort by the General Assembly to erode the ability of local school officials to determine what is best for their school districts, students and staff. This legislation would ban a school district from requiring a student to use an identification device that employs radio frequency identification technology “or similar technology” unless there is “physical contact between a card, badge, or tag and another device.”

Local school officials are in the best position to determine the appropriate use of this technology within their school districts. Indeed, the technology sought to be banned could be a significant public safety tool during emergency situations. Quickly identifying the location of students during a critical incident unfolding at a school or during a natural disaster is vitally important to law enforcement and first responders. Prohibiting the use of this technology would eliminate an important option for school districts to consider when analyzing measures to protect the safety and security of their students.

In addition, the vague language used in Senate Bill No. 523 fails to distinguish between active radio frequency identification technology, which continuously transmits information, and passive radio frequency identification technology, which does not, or to indicate whether such technology must be directly assigned to an individual student. As a result, the ban contained in Senate Bill No. 523 could prohibit tags placed in laptops, iPads, or other devices assigned to a student that would be tracked when brought through a fixed portal or a hand-scanning device. It is inappropriate for the state to impose restrictions such as those contained in Senate Bill No. 523 upon local education leaders. On issues such as this, local officials should be permitted to have open and robust discussions with school staff, parents and other interested stakeholders and implement programs determined to be the most appropriate for their districts. Local school officials are in the best position to make such decisions, and I will stand with them by not approving Senate Bill No. 523.

In accordance with the above stated reasons for disapproval, I am returning Senate Bill No. 523 without my approval.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

July 14, 2014

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Bill No. 656 entitled:

AN ACT

To repeal sections 21.750, 84.340, 571.030, 571.101, 571.107, 571.111, 571.117, 575.153, 590.010, and 590.205, RSMo, and to enact in lieu thereof sixteen new sections relating to firearms, with penalty provisions.

I disapprove of Conference Committee Substitute for House Committee Substitute for Senate Bill No. 656. My reasons for disapproval are as follows:

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 656 would allow Missouri school districts to designate teachers or administrators as “school protection officers,” who would be authorized to carry concealed firearms within those districts. I have consistently opposed the arming of teachers as a means to keep schools safe. It is simply the wrong approach, and one that I do not support.

The safety of Missourians – especially children – has long been a top priority of mine, both as Governor and as the former chief law enforcement officer of our state. I have supported, and will continue to support, the use of duly authorized law enforcement officers employed as school resource officers in schools. This bill, which would create a new mechanism for the arming of teachers, would not make schools safer. Consequently, I am returning it without my approval.

In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Bill No. 656 without my approval.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

July 8, 2014

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Bill 506 entitled:

AN ACT

To repeal sections 144.010, 262.900, 265.300, 267.565, 275.352, 277.020, 277.040, 281.065, 304.180, 340.381, 340.396, 442.571, and 537.325, RSMo, and to enact in lieu thereof seventeen new sections relating to agriculture.

I disapprove of House Committee Substitute for Senate Bill No. 506. My reasons for disapproval are as follows:

House Committee Substitute for Senate Bill No. 506 would redefine the term “livestock” to include “captive cervids,” which are members of the deer family, including white-tailed deer. These changes would eliminate the role of the Missouri Department of Conservation in regulating white-tailed deer. Because doing so would be at odds with longstanding successful conservation practices and would violate the Missouri Constitution, this legislation does not receive my approval.

For more than 75 years, the Missouri Department of Conservation has restored and protected Missouri’s forest, fish, and wildlife resources. The Department has created countless opportunities for Missourians to enjoy the outdoors, while also making Missouri a national leader in conservation. In 1934, before Missourians voted by more than a two-thirds majority to establish the Conservation Commission in the Missouri Constitution, Missouri had less than 2,000 white-tailed deer. Today, Missouri has an estimated 1.3 million white-tailed deer. Each fall, half-a-million hunters go afield to harvest deer in Missouri, contributing \$1 billion to our economy. Growing and managing our deer herd and fostering the hunting opportunities that we enjoy takes hard work and sound science, and the Department of Conservation should be commended for employing both to preserve this important part of our heritage, not stripped of its authority to do so in order to protect narrow interests. House Committee Substitute for Senate Bill No. 506 also does not receive my support because it very clearly violates the Missouri Constitution. Article IV, Section 40(a) of the Missouri Constitution vests the Missouri Conservation Commission with the exclusive authority for:

The control, management, restoration, conservation, and regulation of the bird fish, game, forestry and all wildlife resources of the state, including hatcheries, sanctuaries, refuges, reservations and all other property owned, acquired, or used for such purposes and the acquisition and establishment thereof.

White-tailed deer are wildlife, and they are also a game animal. Putting them behind a fence does not change that fact. The Constitution makes clear that the Conservation Commission has the sole authority to control, manage, restore, conserve, and regulate “game ... and **all** wildlife” (emphasis added). The citizen-supported, citizen-led effort to conserve our forests, fish, and wildlife through this constitutional provision has in its more than 75 years made Missouri a national leader in conservation. And in granting the Commission this broad constitutional authority, the 71% of Missouri citizens who voted to do so certainly did not countenance that a statutory enactment to simply redefine the term “livestock” could suffice to undermine that authority.

I note that it is unfortunate that the legislature insisted on amending this unconstitutional provision to two pieces of legislation that otherwise contain worthy provisions advancing Missouri agriculture.

In accordance with the above stated reasons for disapproval, I am returning House Committee Substitute for Senate Bill No. 506 without my approval.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

June 11, 2014

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 693 entitled:

AN ACT

To repeal sections 99.845, 135.700, 143.041, 143.071, 143.191, 143.451, 144.030, 144.044, 144.610, 285.230, 285.232, 285.233, and 285.234, RSMo, and to enact in lieu thereof twenty-two new sections relating to taxation, with existing penalty provisions.

I disapprove of Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 693. My reasons for disapproval are as follows:

Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 693 would continue a damaging trend by the General Assembly to enact special tax exemptions and credits that pick winners and losers through the tax code and shift a greater proportion of the tax burden to the majority of Missourians unable to utilize such loopholes. Not a penny of the special breaks in this bill or in the others that I am vetoing today<sup>1</sup> was taken into account in the Fiscal Year 2015 budget passed by the General Assembly, leaving it significantly out of balance and requiring swift action to protect the State's fiscal well-being. This is fiscally irresponsible and cannot receive my support.

In enacting Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 693 and its brethren in the final hours of the legislative session, the General Assembly disregarded the normal legislative process, slipping in costly provisions without public hearings and without fiscal notes reflecting the impact on the state budget. And just as legislators ignored the legislative process, so too did they disregard the budget process by passing a budget just a week earlier that failed to account for this final day spending spree. Unlike the fiscal impact of Senate Substitute No. 3 for Senate Committee Substitute for Senate Bill Nos. 509 & 496, which today's lawmakers have conveniently foisted off on future budgets for education, public safety and other vital public services, the fiscal impact of the special breaks I am vetoing today would begin impacting budgets in the fiscal year starting in less than 30 days. There are no delays, triggers, or other gimmicks that could be touted as shielding education, public safety, and other vital public services, at both the state and local level,<sup>2</sup> from the projected \$776 million in state and local revenue legislators voted to send to narrow special interests on the last day of session. While the General Assembly may have abdicated its fiscal responsibilities in failing to account for this budgetary impact, the resulting imbalance cannot be ignored and will have to be corrected through dramatic spending reductions.

Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 693 and the other measures I am vetoing today would add to the more than 260 sales tax exemptions and tax credits that litter Missouri's tax code without requiring the creation of a single new job. The continued erosion of the tax base through such individualized exemptions and credits violates well-established principles of sound tax policy calling for a broad tax base so that tax rates can remain low. The General Assembly has ignored repeated calls to reduce these costly and inefficient carve-outs and has instead rushed through many more, leaving Missouri families to pick up the tab for education and vital public

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<sup>1</sup> Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584 Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612; Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662; House Committee Substitute for Senate Bill No. 727; Senate Committee Substitute for Senate Bill No. 829; Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 860; Senate Committee Substitute for House Committee Substitute for House Bill No. 1296; House Bill No. 1455; and Senate Substitute for Senate Committee Substitute for House Bill No. 1865.

<sup>2</sup> In addition to impacting the general local sales tax imposed under Section 32.085, exemptions from local sales tax would reduce revenue collected through numerous voter-approved local sales taxes that are targeted to specific, community supported needs. Examples include the County Anti-Drug Sales Tax, Sections 67.391, 67.392, RSMo; County Construction Sales Tax, Sections 67.550, 67.590, RSMo; Museums and Festivals Sales Tax, Sections 67.571, 67.578, RSMo; Law Enforcement Services Sales Tax, Sections 67.582, 67.584, 92.500, RSMo; Capital Improvements Sales Tax, Sections 67.700, 67.730, 94.577, 94.578, 94.890, RSMo; Storm Water Control and Public Works Sales Tax, Sections 67.701, 67.729, 94.413, RSMo; Public Recreation Projects and Programs Sales Tax, Sections 67.745, 67.782, RSMo; Regional Recreation Districts Sales Tax, Section 67.799, RSMo; Perry County Senior Services and Youth Programs Sales Tax, Section 67.997, RSMo; Economic Development Sales Tax, Sections 67.1300, 67.1303, 67.1305, 94.1008, 94.1010, 94.1012, RSMo; Community Improvement Districts Sales Tax, Section 67.1545, RSMo; Metropolitan Parks and Recreation Districts Sales Tax, Section 67.1712, RSMo; Children's Services Sales Tax, Section 67.1775, RSMo; Water Quality, Tourism, and Infrastructure Sales Tax, Section 67.1922, RSMo; Tourism Community Enhancement Districts Sales Tax, Section 67.1959, RSMo; Exhibition Center and Recreational Facility Districts Sales Tax, Section 67.2000, RSMo; Tourism Promotion Sales Tax, Section 67.2030, RSMo; Construction of Women's and Children's Shelter Sales Tax, Section 67.2040, RSMo; Theater, Cultural Arts, and Entertainment Districts Sales Tax, Section 67.2530, RSMo; Parks, Trails, and Greenways Districts Sales Tax, Section 67.5012, RSMo; Mass Transit Sales Tax, Section 92.402, RSMo; Public Safety Sales Tax, Sections 94.579, 94.581, 94.900, 94.902, RSMo; Community Center Sales Tax, Section 94.585, RSMo; Transportation Sales Tax, Sections 94.605, 94.660, 94.705, RSMo; Historical Locations and Museums Sales Tax, Section 94.950, RSMo; Medical Care for the Medically Indigent Sales Tax, Section 94.1000, RSMo; Kansas City Zoological District Sales Tax, Sections 94.1000, 184.503, RSMo; Transportation Development District Sales Tax, Section 238.235, RSMo; County Transit Authority Sales Tax, Section 238.410, RSMo; and Storm Water Control and Parks Sales Tax, Section 644.032, RSMo.

services.

The unabated growth of such special carve-outs and the fiscal irresponsibility of failing to budget for them are all the more troubling when the General Assembly is simultaneously seeking to raise taxes on all Missourians with what could be the largest tax hike in Missouri history. While the benefits of the more than one billion dollars in annual tax breaks passed by the legislature over the past two months will go disproportionately to the wealthy, the burden of this multi-billion dollar tax increase for transportation would fall disproportionately on Missouri's working families and seniors.

The special breaks in Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 693 and the other bills that I am vetoing today are not the mere clarifications that their supporters claim. Instead, they seek to overrule no fewer than twenty Missouri Supreme Court cases going back to 1977 that have been followed by the department of revenue over the course of previous and current administrations. In nearly every one of the cases sought to be overturned, the court ruled that the law enacted by the General Assembly required a tax to be collected, notwithstanding that a particular businesses had hoped to be excused from the legal obligations we all share. While it is well within the rights of a losing litigant to petition their elected representatives, it is wholly disingenuous to call doing so here anything other than what it is—seeking a special exemption from the law, as currently written and as confirmed by the courts.

Throughout my time as Governor, I have worked with legislators on fiscally responsible ways to improve our tax code while protecting our state's fiscal health, including the four tax cuts that I have signed into law. Even during this legislative session, I worked directly with legislators to put forward a specific, concrete proposal that would have lowered taxes for Missourians and reined in costly and inefficient tax credits for special interests, broadening the overall tax base and reducing tax rates, while protecting our ability to invest in education and other vital public services. Unfortunately, the General Assembly refused to enact this broad tax relief in favor of narrow giveaways like those contained in Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 693 and the other bills I am vetoing today. For the reasons stated herein, this is an endeavor I cannot support.

#### **Special Exemption for Used Cars**

Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 693 exempts used cars that are 10-years or older from sales tax when the sale price is less than \$15,000. According to the legislature's own estimate, this provision would reduce state and local revenues by as much as \$60 million annually, with more than \$30 million annually in reduced revenue for highways and \$26 million annually in reduced revenue for local jurisdictions.<sup>3</sup> Not only would this revenue reduction impact the amount of state and local highway maintenance and construction that can be undertaken, it could also jeopardize matching federal highway funds and make it more difficult to cover debt service on previously issued bonds to finance state and local road and bridge projects. With the average age of vehicles on America's roads increasing to 11.4 years, the number of vehicles subject to this exemption and the corresponding impact to state and local revenue is likely to increase over time.<sup>4</sup>

I cannot support a new sales tax exemption that would drain funding for transportation at the very same time the General Assembly is asking Missourians to foot the bill on a \$6 billion sales tax increase to fund transportation needs. By passing this legislation and voting to put a sales tax increase for transportation on the ballot, the General Assembly is with one hand doling out special breaks that would directly and permanently reduce funding for roads, while with the other hand reaching into the pockets of every Missourian for more road funding. This is poor fiscal policy and poor tax policy, and therefore does not receive my approval.

Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 693 has a number of additional problems that prevent it from receiving my signature. First, it fails to treat similarly-situated taxpayers similarly, instead picking as winners the purchasers of certain used cars based on the age of the vehicle and its sale price, while leaving all remaining purchasers in the dust. In addition, the limitation to vehicles 10-years or older and with a sale price of \$15,000 or less is an arbitrary cut-off that will lead to absurd results. For example, there is no sound economic or policy reason for why a nine year-old vehicle that costs \$14,999 or an 11-year old vehicle that costs \$15,001 is any more or less deserving of a tax exemption than the vehicles covered by this bill. These are precisely the kind of problems created with special carve-outs that pick winners and losers based on arbitrary distinctions rather than sound tax or economic policy.

In addition, as drafted this exemption is ripe for abuse and can easily be manipulated to avoid or reduce taxes on purchases not intended for the exemption. For example, current law allows the seller of a vehicle to use the vehicle's sales price as a credit toward the purchase price of a subsequent vehicle in determining the tax due on the purchase.<sup>5</sup> With the new exemption in Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 693, used car dealers could set up straw transactions to sell used cars older than 10 years to their customers and then take those same cars as trade-ins toward newer cars, which would allow their customers to reduce or avoid paying altogether the tax on the newer car purchase. That this may be an unintended consequence of the legislation does not make its impact on state and local budgets any less real or immediate.

<sup>3</sup> The \$26 million annual reduction in local revenue from this provision is not dissimilar to the local revenue loss that was anticipated as a result of local jurisdictions no longer being able to collect tax on out-of-state vehicle purchases following the decision in *Street v. Director of Revenue*, 361 S.W.3d 355, 356 (Mo. banc 2012). It is puzzling that after passing legislation to prevent this anticipated loss of local tax revenue last year, the General Assembly would turn around the very next year and pass legislation to drain a similar amount of revenue from those same local jurisdictions.

<sup>4</sup> [https://www.polk.com/company/news/polk\\_finds\\_average\\_age\\_of\\_light\\_vehicles\\_continues\\_to\\_rise](https://www.polk.com/company/news/polk_finds_average_age_of_light_vehicles_continues_to_rise)

<sup>5</sup> Section 144.025, RSMo, provides:

Notwithstanding any other provisions of law to the contrary, in any retail sale . . . where any article on which sales or use tax has been paid, credited, or otherwise satisfied or which was exempted or excluded from sales or use tax is taken in trade as a credit or part payment on the purchase price of the article being sold, the tax imposed by sections 144.020 and 144.440 shall be computed only on that portion of the purchase price which exceeds the actual allowance made for the article traded in or exchanged . . . This section shall also apply to motor vehicles . . . sold by the owner or holder of the properly assigned certificate of ownership if the seller purchases or contracts to purchase a subsequent motor vehicle . . . within one hundred eighty days before or after the date of the sale of the original article and a bill of sale showing the paid sale price is presented to the department of revenue at the time of licensing. . . .

### **Special Exemption for Personal Seat Licenses**

Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 693 would exempt from tax a right of first refusal for tickets sold at the Sprint Center in Kansas City. As with the other new exemptions enacted in this and similar bills, the General Assembly failed to account for the fiscal impact of this exemption in the Fiscal Year 2015 budget they enacted. It is unclear why this activity should receive a new special tax exemption, and it is even more unclear why the General Assembly would pass a special law, potentially violating the Missouri Constitution, in order to effectuate it. Unfortunately, because this provision never received a public hearing, the answer remains as elusive as my support.

### **Expansion of the Wine & Grape Tax Credit**

Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 693 would expand the Wine and Grape Production Tax Credit by making purchases of used equipment eligible for the credit. The General Assembly failed to account for the estimated \$125,000 reduction in state revenue from this expansion in the Fiscal Year 2015 budget they passed.

Beginning more than 160 years ago, Missouri's wine industry has grown to more than 120 wineries generating \$1.6 billion annually in economic impact. It is difficult to believe that the continued success of this thriving industry depends on the expansion of this relatively modest government subsidy. While the wine industry has a tremendous positive economic impact for the state, the Wine and Grape Production Tax Credit fails to generate a positive return, with the most recent cost benefit analysis indicating that for every dollar in tax credits issued, the state could expect to receive just 3 cents in general revenue return. The lack of a positive return on investment is what prompted the bipartisan Tax Credit Review Commission to call for the outright elimination of the credit.

Unlike other tax credits enacted or reauthorized this legislative session, this expansion of the Wine and Grape Production Tax Credit would not make it subject to appropriation or restructure it in a way that would make it revenue-neutral. Instead, Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 693 would simply broaden the activities eligible for the credit, thereby increasing the credit's cost and diverting additional funding from education and other vital public services, none of which was taken into account in the budget passed by the General Assembly. This is fiscally irresponsible and does not receive my support.

In accordance with the above-stated reasons for disapproval, I am returning Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 693 without my approval.

Sincerely,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

June 24, 2014

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 & 624 entitled:

### **AN ACT**

To repeal 160.011, 160.041, 160.400, 160.405, 160.415, 160.417, 162.081, 162.1250, 163.021, 163.036, 163.073, 163.410, 167.121, 167.131, 171.029, 171.031, 171.033, 177.011, 177.088, and 210.861, RSMo, and to enact in lieu thereof forty-seven new sections relating to elementary and secondary education, with an emergency clause.

I disapprove of Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 & 624. My reasons for disapproval are as follows:

Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 & 624 is the legislature's attempt to create transfer solutions for students attending schools in unaccredited districts. Unfortunately, not only would Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 & 624 not solve the school transfer problems it was intended to address, it would create new problems that exacerbate the hardships faced by the children who attend unaccredited schools.

Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 & 624 would authorize the expenditure of public funds for the tuition of students who transfer from an unaccredited school in an unaccredited district in St. Louis, St. Louis County and Jackson County to private, nonsectarian schools located in the students' district of residence. Although proponents of this provision claim that only local tax dollars would be expended and that they would be expended only if approved by the district's voters, no such vote would be required after a district has been unaccredited for three years. Either with or without

a vote, the result would be the same—public money would be diverted to private schools, in clear violation of the Missouri Constitution.<sup>1</sup> In addition, through its enactment of Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 & 624, the General Assembly would extend this private school option without holding private schools responsible for how well they educate students. Unlike the accountability to taxpayers that locally elected school boards provide, this scheme for directing public funds to private schools would come with no such protection. Private schools do not have to answer to voters, their leadership does not have to stand for election or re-election, and their budgets are not transparent to allow public scrutiny. Accordingly, public funds should not be diverted to private schools.

In a particularly cruel reversal of existing law, Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 & 624 would also eliminate the current requirement that unaccredited districts pay for the transportation costs of transfers. This policy would be grossly unfair to the hundreds of families whose children transferred to accredited districts during the most recent school year with the understanding that their future transportation costs would be paid by the unaccredited, sending district. In this way, Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 & 624 would pull the rug out from under these families by eliminating the current obligation to pay for their school transportation costs.

Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 & 624 would also allow receiving districts to discount the tuition paid for transfers in exchange for not having to consider those students' performance data for accountability purposes for up to five years. Enshrining this cynical bargain in law shortchanges the very transfer students whose educational struggles this legislation was purported to help. This discount would allow districts to discard the transfer students they accept and not be held accountable for how they educate these students. As an example, consider transfers by high school students—a receiving district that accepted these students and extended a 30% tuition discount would never need to account for their academic performance on the district's Annual Performance Report.

Unrelated to the school transfer problem it purports to address, Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 & 624 also includes a provision very similar to the one I vetoed in Senate Committee Substitute for House Committee Substitute for House Bill No. 1789 (2012). This provision would deviate from the well-established procedure for assigning a student to another school district if the student's residence is located so as to create an unusual or unreasonable transportation hardship. A similar provision did not meet my approval in 2012 and neither does this one.

In accordance with the above-stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 493, 485, 495, 516, 534, 545, 595, 616 & 624 without my approval.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

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<sup>1</sup> Article III, Section 38(a) of the Missouri Constitution provides:

The general assembly shall have no power to grant public money or property, or lend or authorize the lending of public credit, to any private person, association or corporation, excepting aid in public calamity, and general laws providing for pensions for the blind, for old age assistance, for aid to dependent or crippled children or the blind, for direct relief, for adjusted compensation, bonus or rehabilitation for discharged members of the armed services of the United States who were bona fide residents of this state during their service, and for the rehabilitation of other persons.

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

June 11, 2014

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Bill No. 727 entitled:

AN ACT

To amend chapters 144 and 208, RSMo, by adding thereto three new sections relating to farmers' markets.

I disapprove of House Committee Substitute for Senate Bill No. 727. My reasons for disapproval are as follows:

House Committee Substitute for Senate Bill No. 727 would continue a damaging trend by the General Assembly to enact special tax exemptions and credits that pick winners and losers through the tax code and shift a greater proportion of the tax burden to the majority of Missourians unable to utilize such loopholes. Not a penny of the special breaks in this bill or in the others that I am

vetoing today<sup>1</sup> was taken into account in the Fiscal Year 2015 budget passed by the General Assembly, leaving it significantly out of balance and requiring swift action to protect the State's fiscal well-being. This is fiscally irresponsible and cannot receive my support.

House Committee Substitute for Senate Bill No. 727 contains a number of provisions that could become law with my action on other legislation. However, I cannot support adding to the more than 200 sales tax exemptions in current law that divert funding from education, public safety, and other vital public services, particularly when the General Assembly has failed to account for it in the budget they passed.

House Committee Substitute for Senate Bill No. 727 would provide a new exemption from state and local taxes for sales of farm products at a farmers' market by entities who estimate that their annual farmers' market sales will be less than \$25,000. This means that entities who estimate that their annual farmers' market sales will be \$25,000 or more would be subject to state and local tax. The sale of agricultural products grown in Missouri as well as those grown in other states would be subject to the exemption.

This provision, as drafted, would create confusion among both sellers and customers at farmers' markets and lead to significant governmental intrusion into their affairs. First, the bill contains an arbitrary limitation as to who is eligible for the exemption and who would have to collect tax based solely on whether they estimate they will have more or less than \$25,000 in farmers' markets sales. Thus, an individual who estimates sales of \$24,999 would not have to collect tax, but an individual estimating a dollar more in sales would. This could result in a consumer paying sales tax on the corn they purchase at one booth, while buying the corn tax free at the booth right next door. In addition, whether the tax applies is based on *estimated*, rather than *actual* sales. This would mean that a seller with actual sales far in excess of the \$25,000 limitation could continue to sell products tax-free, so long as they had previously "estimated" that their sales would be below the \$25,000 threshold. For example, under the bill a seller who estimates \$20,000 in sales but who actually has \$30,000 would not have to collect taxes on any of their sales, while a seller who estimates their sales at \$30,000 but has actual sales of just \$20,000 would have to collect taxes.

The provision would also increase governmental intrusion in order to police the limitation for \$25,000 in estimated annual sales. There is nothing in the bill directing how the estimated annual sales are to be derived, or to whom or how the required estimate is to be reported. Presumably, it will require all farmers' market sellers to complete paperwork and be subject to an audit of their sales information from at least the three previous years to determine the validity of the annual sales estimate. This would result in significant government access into otherwise private business information, which would appear inconsistent with the overall intent of this new exemption.

In accordance with the above-stated reasons for disapproval, I am returning House Committee Substitute for Senate Bill No. 727 without my approval.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

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<sup>1</sup> Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584; Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612; Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662; Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 693; Senate Committee Substitute for Senate Bill No. 829; Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 860; Senate Committee Substitute for House Committee Substitute for House Bill No. 1296; House Bill No. 1455; and Senate Substitute for Senate Committee Substitute for House Bill No. 1865.

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

July 7, 2014

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 731 entitled:

AN ACT

To repeal sections 82.1025, 82.1027, 82.1028, 82.1029, and 82.1030, RSMo, and to enact in lieu thereof six new sections relating to property regulations in certain cities and counties.

I disapprove of Senate Committee Substitute for Senate Bill No. 731. My reasons for disapproval are as follows:

Senate Committee Substitute for Senate Bill No. 731 began as a well-meaning measure to provide additional tools for neighborhood organizations and property owners to hold negligent property owners accountable for diminished property values and unsafe conditions. However, an amendment added on the Senate floor would infringe upon private property rights by giving a broad new immunity for polluters creating environmental hazards and contamination that reduce nearby property values. For this reason, Senate Committee Substitute for Senate



Bill No. 731 does not receive my approval.

The Senate floor amendment to Senate Committee Substitute for Senate Bill No. 731, added as section 1 to the bill, would provide:

No action shall be brought under section 82.1025 or sections 82.1027 to 82.1030 if the owner of the property that is the subject of the action is in good faith compliance with *any* order issued by the department of natural resources, the United States Environmental Protection Agency, or the office of attorney general.

(emphasis added). This broad immunity would bar statutory nuisance actions by private property owners and neighborhood organizations in the counties of Jefferson, Platte, Franklin, Cass, Clay, Cole, and Cape Girardeau, and the cities of Springfield, St. Louis and Kansas City in the circumstances outlined. This would diminish the rights of property owners under current law to hold someone accountable for actions that reduce property values and create hazards to health, safety and the environment. For example, assume private property owners in St. Louis County are attempting to bring a statutory nuisance action seeking damages from the owner of a landfill that is contaminating nearby properties, creating noxious fumes, and decreasing area property values. Although such an action might proceed under current law, this bill would prohibit it if the Environmental Protection Agency (EPA), the Department of Natural Resources (DNR), or the Attorney General has ordered the landfill operator to clean up the contamination and the company is attempting to comply with that order.

Not only would this new immunity deprive private property owners of rights they enjoy under current law, its ambiguous wording would confer immunity even when the referenced government order does not apply to the property creating the nuisance. For example, assume DNR issues an order requiring a utility company to clean up contamination at a former facility in Randolph County. If the utility is complying with that clean-up order, this bill would also give the company immunity for operations creating a nuisance at its facilities in Franklin, St. Louis, Jefferson, Cape Girardeau, and Cole counties.

In addition, the ambiguous language of this immunity provision does not even require the party creating the nuisance to actually be in compliance with any of the referenced government orders. Instead, the immunity would be triggered upon “good faith,” as opposed to *actual*, compliance. This could prevent private property owners from bringing a statutory nuisance action even when the party creating the nuisance is currently violating a government order. For example, a quarry in Cape Girardeau could be violating a DNR order to control dust emissions contaminating nearby property, but under this bill adjoining property owners would be barred from bringing a statutory nuisance action to protect their property so long as the quarry is attempting, even if unsuccessfully, to comply with the DNR order. Similarly, a chemical company in Cass County attempting to comply with a DNR order to clean up hazardous waste on its property may be immune from suit even if contamination from the buried chemicals has migrated into the drinking water used by neighboring property owners.

Senate Committee Substitute for Senate Bill No. 731 began with a noble purpose of strengthening the rights of property owners and neighborhood organizations, but the changes during the legislative process, particularly the Senate floor amendment providing a broad new immunity for those damaging the property of others, would move the state in the opposite direction. This I cannot support.

In accordance with the above stated reasons for disapproval, I am returning Senate Committee Substitute for Senate Bill No. 731 without my approval.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

July 7, 2014

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Bill No. 508 entitled:

AN ACT

To repeal sections 43.530, 105.711, 208.631, 208.636, 208.640, 208.643, 208.646, and 376.2004, RSMo, and to enact in lieu thereof nine new sections relating to health insurance, with a penalty provision.

I disapprove of House Committee Substitute for Senate Bill No. 508. My reasons for disapproval are as follows:

House Committee Substitute for Senate Bill No. 508 contains a number of worthwhile provisions that can become law with my action on other legislation. However, this legislation does not receive my approval due to a significant drafting error.

House Committee Substitute for Senate Bill No. 508 would impose additional restrictions on the licensure of an individual as a “navigator,” one who provides information or services in connection with eligibility, enrollment, or the program specifications of any health benefit exchange operating pursuant to the Affordable Care Act. Section 376.2004.6 of the bill would require an applicant for a navigator license to submit two full sets of fingerprints to the Missouri State Highway Patrol “for the purpose of obtaining a state and federal criminal records check under section 43.540 and Public Law 92-554 [sic].”

The bill’s reference to Public Law 92-554 should be to Public Law 92-544. This mistaken reference to Public Law 92-554, which deals with alcohol abuse and prevention, instead of to Public Law 92-544, which deals with federal criminal records, was included in model legislation

developed by the American Legislative Exchange Council (ALEC) entitled the “Navigator Background Check Act,” which provides, in relevant part:

(4) The **{insert state department of insurance}** shall submit a full set of fingerprints to the **{insert state department of public safety}** for the purpose of obtaining a state and federal criminal records check pursuant to **{insert relevant state criminal history records statute}** and Public Law 92-554 [sic]. The **{insert state department of insurance}** shall not issue the registration if the person has been convicted of a felony offense or a misdemeanor offense involving fraud or dishonesty.<sup>1</sup>

It appears that in copying and pasting from this ALEC model act, the General Assembly failed to correct this incorrect reference to Public Law 92-554.<sup>2</sup> While some may believe that such an error is “close enough” for a model act, it cannot be allowed to become the law of this State. Particularly in an area of the law that is the subject of ongoing litigation, a glaring defect such as this cannot simply be ignored. Accordingly, this measure does not receive my approval.

In accordance with the above-stated reasons for disapproval, I am returning House Committee Substitute for Senate Bill No. 508 without my approval.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

<sup>1</sup>The full text of the ALEC Model “Navigator Background Check Act” is available at <http://www.alec.org/model-legislation/navigator-background-check-act/>.

<sup>2</sup> Some state legislatures that have considered similar navigator-related legislation derived from the ALEC model legislation have taken the opportunity to fix the incorrect reference from the ALEC model before enacting it. See Arizona House Bill 2508 (2014), available at <http://www.azleg.gov/legtext/51leg/2r/laws/0153.pdf>. However, like the Missouri General Assembly, other state legislatures considering such legislation have simply parroted the incorrect reference from the ALEC model act without alteration. See Kansas Senate Bill 362 (2014), available at [http://www.kslegislature.org/li/b2013\\_14/measures/documents/sb362\\_01\\_0000.pdf](http://www.kslegislature.org/li/b2013_14/measures/documents/sb362_01_0000.pdf)

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

July 10, 2014

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Substitute for Senate Bill No. 575 entitled:

AN ACT

To repeal sections 8.597, 21.440, 21.445, 21.450, 21.455, 21.460, 21.465, 21.530, 21.535, 21.537, 21.795, 21.800, 21.801, 21.820, 21.835, 21.850, 21.910, 21.920, 30.953, 30.954, 30.956, 30.959, 30.962, 30.965, 30.968, 30.971, 33.150, 33.850, 37.250, 135.210, 135.230, 167.042, 167.195, 191.115, 191.934, 197.291, 208.952, 208.955, 210.153, 215.261, 215.262, 217.025, 217.550, 217.567, 262.950, 301.129, 313.001, 320.092, 338.321, 348.439, 361.120, 376.1190, 383.250, 386.145, 476.681, 620.050, 620.602, 620.1300, 630.010, 630.461, and 650.120, RSMo, section 105.955 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 208.275 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill no. 555 merged with senate substitute no. 2 for house bill no. 648, ninety-sixth general assembly, first regular session, section 208.275 as enacted by senate committee substitute for house committee substitute for house bill no. 464, ninety-sixth general assembly, first regular session, and section 476.055 as enacted by conference committee substitute for house committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, and to enact in lieu thereof twenty-one new sections relating to the existence of certain committees.

I disapprove of House Committee Substitute for Senate Substitute for Senate Bill No. 575. My reasons for disapproval are as follows:

House Committee Substitute for Senate Substitute for Senate Bill No. 575 contains a number of worthwhile provisions that can become law with my action on other legislation. However, this legislation does not receive my approval due to the inclusion of provisions limiting the requirement for actuarial analysis of health insurance benefit mandates and repealing the MO HealthNet Oversight Committee.

House Committee Substitute for Senate Substitute for Senate Bill No. 575 would repeal the current requirement that an actuarial analysis be conducted on any proposed legislation imposing a new health insurance benefit mandate and replace it with a more modest requirement to perform an actuarial analysis only on health insurance mandates actually enacted by the General Assembly. In so limiting the requirement for an actuarial analysis, House Committee Substitute for Senate Substitute for Senate Bill No. 575 thwarts the original intent of the law, which was to ensure that the General Assembly fully understood the fiscal impact of such mandates *prior* to their enactment. A measure such as this that would limit the information available to policymakers before they vote to impose a new mandate does not receive my support.

In addition, the MO HealthNet Oversight Committee consists of a bipartisan group of legislators and experienced Medicaid providers.

House Committee Substitute for Senate Substitute for Senate Bill No. 575 would repeal the MO HealthNet Oversight Committee, while making permanent the Joint Committee on MO HealthNet, which is composed exclusively of legislators. The elimination of the MO HealthNet Oversight Committee would leave future responsibility for oversight of Missouri's Medicaid system without the benefit of formal representation by individuals with specialized expertise in the committee's subject matter. Oversight of a program of this significance should draw from the full spectrum of available resources and perspectives, rather than being limited to a select group of public officials.

In accordance with the above-stated reasons for disapproval, I am returning House Committee Substitute for Senate Substitute for Senate Bill No. 575 without my approval.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

June 11, 2014

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612 entitled:

AN ACT

To repeal sections 143.183, 143.451, 144.021, and 144.054, RSMo, and to enact in lieu thereof four new sections relating to taxation.

I disapprove of Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612. My reasons for disapproval are as follows:

Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612 would continue a damaging trend by the General Assembly to enact special tax exemptions and credits that pick winners and losers through the tax code and shift a greater proportion of the tax burden to the majority of Missourians unable to utilize such loopholes. Not a penny of the special breaks in this bill or in the others that I am vetoing today<sup>1</sup> was taken into account in the Fiscal Year 2015 budget passed by the General Assembly, leaving it significantly out of balance and requiring swift action to protect the State's fiscal well-being. This is fiscally irresponsible and cannot receive my support.

In enacting and its brethren in the final hours of the legislative session, the General Assembly disregarded the normal legislative process, slipping in costly provisions without public hearings and without fiscal notes reflecting the impact on the state budget. And just as legislators ignored the legislative process, so too did they disregard the budget process by passing a budget just a week earlier that failed to account for this final day spending spree. Unlike the fiscal impact of Senate Substitute No. 3 for Senate Committee Substitute for Senate Bill Nos. 509 & 496, which today's lawmakers have conveniently foisted off on future budgets for education, public safety and other vital public services, the fiscal impact of the special breaks I am vetoing today would begin impacting budgets in the fiscal year starting in less than 30 days. There are no delays, triggers, or other gimmicks that could be touted as shielding education, public safety, and other vital public services, at both the state and local level,<sup>2</sup> from the projected nearly \$776 million in state and local revenue legislators voted to send to narrow special interests on

<sup>1</sup> Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584; Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662; Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 693; House Committee Substitute for Senate Bill No. 727; Senate Committee Substitute for Senate Bill No. 829; Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 860; Senate Committee Substitute for House Committee Substitute for House Bill No. 1296; House Bill No. 1455; and Senate Substitute for Senate Committee Substitute for House Bill No. 1865.

<sup>2</sup> In addition to impacting the general local sales tax imposed under Section 32.085, exemptions from local sales tax would reduce revenue collected through numerous voter-approved local sales taxes that are targeted to specific, community supported needs. Examples include the County Anti-Drug Sales Tax, Sections 67.391, 67.392, RSMo; County Construction Sales Tax, Sections 67.550, 67.590, RSMo; Museums and Festivals Sales Tax, Sections 67.571, 67.578, RSMo; Law Enforcement Services Sales Tax, Sections 67.582, 67.584, 92.500, RSMo; Capital Improvements Sales Tax, Sections 67.700, 67.730, 94.577, 94.578, 94.890, RSMo; Storm Water Control and Public Works Sales Tax, Sections 67.701, 67.729, 94.413, RSMo; Public Recreation Projects and Programs Sales Tax, Sections 67.745, 67.782, RSMo; Regional Recreation Districts Sales Tax, Section 67.799, RSMo; Perry County Senior Services and Youth Programs Sales Tax, Section 67.997, RSMo; Economic Development Sales Tax, Sections 67.1300, 67.1303, 67.1305, 94.1008, 94.1010, 94.1012, RSMo; Community Improvement Districts Sales Tax, Section 67.1545, RSMo; Metropolitan Parks and Recreation Districts Sales Tax, Section 67.1712, RSMo; Children's Services Sales Tax, Section 67.1775, RSMo; Water Quality, Tourism, and Infrastructure Sales Tax, Section 67.1922, RSMo; Tourism Community Enhancement Districts Sales Tax, Section 67.1959, RSMo; Exhibition Center and Recreational Facility Districts Sales Tax, Section 67.2000, RSMo; Tourism Promotion Sales Tax, Section 67.2030, RSMo; Construction of Women's and Children's Shelter Sales Tax, Section 67.2040, RSMo; Theater, Cultural Arts, and Entertainment Districts Sales Tax, Section 67.2530, RSMo; Parks, Trails, and Greenways Districts Sales Tax, Section 67.5012, RSMo; Mass Transit Sales Tax, Section 92.402, RSMo; Public Safety Sales Tax, Sections 94.579, 94.581, 94.900, 94.902, RSMo; Community Center Sales Tax, Section 94.585, RSMo; Transportation Sales Tax, Sections 94.605, 94.660, 94.705, RSMo; Historical Locations and Museums Sales Tax, Section 94.950, RSMo; Medical Care for the Medically Indigent Sales Tax, Section 94.1000, RSMo; Kansas City Zoological District Sales Tax, Sections 94.1000, 184.503, RSMo; Transportation Development District Sales Tax, Section 238.235, RSMo; County Transit Authority Sales Tax, Section 238.410, RSMo; and Storm Water Control and Parks Sales Tax, Section 644.032, RSMo.

the last day of session. While the General Assembly may have abdicated its fiscal responsibilities in failing to account for this budgetary impact, the resulting imbalance cannot be ignored and will have to be corrected through dramatic spending reductions.

Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612 and the other measures I am vetoing today would add to the more than 260 sales tax exemptions and tax credits that litter Missouri's tax code without requiring the creation of a single new job. The continued erosion of the tax base through such individualized exemptions and credits violates well-established principles of sound tax policy calling for a broad tax base so that tax rates can remain low. The General Assembly has ignored repeated calls to reduce these costly and inefficient carve-outs and has instead rushed through many more, leaving Missouri families to pick up the tab for education and vital public services.

The unabated growth of such special carve-outs and the fiscal irresponsibility of failing to budget for them are all the more troubling when the General Assembly is simultaneously seeking to raise taxes on all Missourians with what could be the largest tax hike in Missouri history. While the benefits of the more than one billion dollars in annual tax breaks passed by the legislature over the past two months will go disproportionately to the wealthy, the burden of this multi-billion dollar tax increase for transportation would fall disproportionately on Missouri's working families and seniors.

The special breaks in Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612 and the other bills that I am vetoing today are not the mere clarifications that their supporters claim. Instead, they seek to overrule no fewer than twenty Missouri Supreme Court cases going back to 1977 that have been followed by the department of revenue over the course of previous and current administrations. In nearly every one of the cases sought to be overturned, the court ruled that the law enacted by the General Assembly required a tax to be collected, notwithstanding that a particular businesses had hoped to be excused from the legal obligations we all share. While it is well within the rights of a losing litigant to petition their elected representatives, it is wholly disingenuous to call doing so here anything other than what it is—seeking a special exemption from the law, as currently written and as confirmed by the courts.

Throughout my time as Governor, I have worked with legislators on fiscally responsible ways to improve our tax code while protecting our state's fiscal health, including the four tax cuts that I have signed into law. Even during this legislative session, I worked directly with legislators to put forward a specific, concrete proposal that would have lowered taxes for Missourians and reined in costly and inefficient tax credits for special interests, broadened the overall tax base and reduced tax rates, while protecting our ability to invest in education and other vital public services. Unfortunately, the General Assembly refused to enact this broad tax relief in favor of narrow giveaways like those contained in Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612 and the other bills I am vetoing today. For the reasons stated herein, this is an endeavor I cannot support.

#### **Windfall Refunds and Retroactive Immunity**

Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612 would mandate governmental notification before a business is under any legal obligation to collect and remit sales tax under an administrative or judicial decision that modifies the items subject to tax. *See* Section 144.021.2. This ambiguously-worded provision is projected to reduce state and local revenues by up to \$200 million annually.<sup>3</sup> As with the various other tax measures the General Assembly rushed through on the last day of session, the Fiscal Year 2015 budget they enacted fails to account for any of the revenue reductions that would result from this provision.

Mandatory governmental notification before a law applies would turn on its head the long-standing principle of our democracy that individuals are presumed to know the law. It is one thing to require the government to provide information about recent developments in the law so that those affected can adjust their prospective conduct accordingly, but it is quite another to condition whether that law even applies based upon whether a person has received personal notification of the law's existence. This kind of governmental paternalism is unprecedented. This year alone the General Assembly passed nearly 200 bills modifying thousands of pages of Missouri law that apply to all manner of conduct. The General Assembly should not have to send a letter to every Missourian before this legion of new laws takes effect. Similarly, every potential criminal should not have to receive a notice describing this year's revisions to the state's criminal code before they can be prosecuted under it.

This provision in Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612 also misunderstands tax law. Although a decision of the director of revenue is listed as an example of a "modification" triggering the duty to notify established by the bill, the director has no power to finally determine whether an item is taxable or not; that authority lies solely with those who write the tax laws—the General Assembly—and those that finally interpret them—the Missouri Supreme Court. *See* Mo. Const. Art. V, Sec. 3 (giving the Missouri Supreme Court exclusive appellate jurisdiction over the construction of the revenue laws of this state). Similarly, a decision of the administrative hearing commission is listed as something that can trigger notification. However, while the administrative hearing commission has the power to hear individual disputes, a decision of that body is not binding beyond the parties, and therefore it cannot finally "modify" what is taxable or not for other affected sellers.

Although a decision of the Missouri Supreme Court might "change[ ] which items of tangible personal property or services are taxable" within the meaning of the bill, the court decisions that purportedly prompted this provision and many of the new exemptions passed on the final day of the legislative session did not. In each of those cases, the Missouri Supreme Court found that the current law, as enacted by the General

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<sup>3</sup> A significant portion of the fiscal impact from this provision is due to its failure to prohibit a business that was properly collecting tax from claiming a refund for the taxes it paid prior to receiving the notification called for under the bill. Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662, which I am also vetoing today, contains a similar provision but includes language that expressly prohibits refunds for businesses that had been correctly collecting the tax, thereby reducing its projected fiscal impact.

Assembly, required a tax to be paid, notwithstanding that a particular business had tried to get out of this legal obligation.<sup>4</sup> The decisions did not newly subject an item to tax; instead, they simply confirmed that such items were and are taxable. However, there is nothing in this bill to prevent a business from arguing that court decisions like these are “modifications” triggering a notification to all affected sellers that what was always taxable continues to be taxable as confirmed by the Missouri Supreme Court.

The bill provides far-reaching consequences for such a notification. Under the bill, a failure to notify an affected seller “shall relieve such seller of liability for taxes that would be due under the modification.” See Section 144.021.2. Accordingly, receiving a notification gives any business that was not collecting taxes prior to the notice retroactive immunity for taxes that the Missouri Supreme Court has confirmed should have been collected. Under this bill, even the specific business that had sought to avoid paying taxes, hired a lawyer to litigate the issue, and lost in court, could argue that it had no tax liability for any of the taxes the court ordered it to pay prior to being notified of the decision in its own case.

Even more problematic than retroactive immunity for businesses that had not been collecting and remitting the taxes required by the law would be the windfall for businesses that had been correctly collecting the taxes required prior to the court decision confirming their obligation to do so. Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612 would waive any tax liability prior to receiving the required notification and, unlike a similar provision in Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662, it does not expressly preclude a business that had been properly collecting the tax from this waiver of tax liability. Accordingly, there is nothing in this bill preventing a business that was properly collecting the tax from claiming a refund for the taxes it correctly collected prior to being notified of a Missouri Supreme Court decision confirming that the tax it had been correctly collecting was required under the law. Under this provision, the vast majority of businesses properly collecting tax could seek a windfall refund simply because a particular business had sought to avoid its legal obligation, litigated, and lost.

The problems with this provision extend beyond windfall refunds and retroactive immunity, to the additional governmental intrusion and burden on taxpayers that could result from the requirement to provide a personal notification to each and every affected seller. Such individualized notification would require the department of revenue to more closely and more frequently scrutinize sales data and other business information it obtains and to potentially require additional information in order to determine precisely which businesses might be affected by a given decision. In addition, because addresses, ownership and personal contact information change over time, the department would need to gather updated information more frequently and perhaps maintain a comprehensive database of such information to ensure cost-effective compliance with the personalized notification requirement of the bill. The need to continually maintain up-to-date sales and other business information would result in additional burdens for taxpayers that could be avoided with a less onerous, and likely more effective, method of providing generalized notice of updates in the law than the personal notification mandated by Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612.

If it were to become law, Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612 would create no shortage of work for tax attorneys and consultants. It provides a clear incentive for businesses to engage in otherwise unnecessary litigation in the hopes of obtaining a “decision” arguably constituting a “modification” in order to trigger individual notification and then either a windfall refund if they were complying with the law or retroactive immunity if they were violating it. Moreover, it will require all taxpayers to bear the cost of staffing and postage to comply with the personal notification mandate, while putting additional burdens on businesses through additional government intrusion into their affairs. While providing up-to-date information to taxpayers is a laudable policy, Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612 fails to accomplish it and instead puts additional burden on taxpayers and significantly reduces state and local revenue. Accordingly, this measure does not receive my support.

### **Special Exemptions for Commercial Laundries and Dry Cleaners**

Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612 would exempt commercial laundries and dry cleaners from paying state and local sales and use taxes on their purchases of materials, goods, machinery, electrical energy and gas, chemicals, soaps, detergents, cleaning and sanitizing agents, and other ingredients used to treat, clean and sanitize textiles. These new tax exemptions would only be available for large commercial and industrial laundries and dry cleaners—facilities that process at least 500 pounds per hour and 60,000 pounds per week. There is no requirement that a benefitting business create any new jobs to take advantage of these broad new exemptions. Moreover, the General Assembly failed to account for the projected \$2 million annual reduction in state revenue in the budget they enacted for the fiscal year starting July 1, as well as an additional \$2 million reduction projected for local jurisdictions.

Like many of the exemptions and carve-outs rushed through on the last day of the legislative session, these new exemptions for laundries and dry cleaners are not mere clarifications of existing sales and use tax law. Instead, this provision would seek to overrule 25 years of legal precedent holding that cleaning dirty clothes is not the same as manufacturing. In 1989, the Missouri Supreme Court first “plumbed the sudsy depths of various sales and use tax exemptions and found no application to commercial laundry operations.” *AAA Laundry & Linen Supply Co. v. Director of Revenue*, 425 S.W.3d 126, 127 (Mo. banc 2014) (discussing *Unitog Rental Services, Inc. v. Director of Revenue*, 779 S.W.2d

<sup>4</sup> This is true whether it was the court reaffirming this year the tax a laundry first sought to avoid in 1989, see *AAA Laundry & Linen Supply Co. v. Director of Revenue*, 425 S.W.3d 126, 127 (Mo. banc 2014) (discussing *Unitog Rental Services, Inc. v. Director of Revenue*, 779 S.W.2d 568 (Mo. banc 1989)), affirming that the General Assembly’s laws did not exempt the purchases claimed as tax free by convenience stores, restaurants, or grocery stores, see *Aquila Foreign Qualifications Corp. v. Director of Revenue*, 362 S.W.3d 1, 2 (Mo. banc 2012); *Brinker Missouri, Inc. v. Director of Revenue*, 319 S.W.3d 433, 435 (Mo. banc 2010); *Union Elec. Co. v. Director of Revenue*, 425 S.W.3d 118, 120 (Mo. banc 2014), or clarifying in 2008 that “tax is due for ‘fees paid to, or in any place of amusement, entertainment or recreation,’” see *Michael Jaudes Fitness Edge, Inc. v. Director of Revenue*, 248 S.W.3d 606 (Mo. banc 2008) (affirming denial of refund claim for taxes paid at fitness center based on *Wilson’s Total Fitness Center, Inc. v. Director of Revenue*, 38 S.W.3d 424 (Mo. banc 2001)).

568 (Mo. banc 1989)). Earlier this year, the court similarly rejected a commercial laundry's attempt to avoid paying its taxes, reiterating that, as in 1989, the laws enacted by the General Assembly did not provide a tax exemption. *Id.* at 127-29. Following this decision, the laundry league lobbied lawmakers for tailor-made exemptions that would treat ironing out the wrinkles as "processing" a shirt and getting out the grass stains as "manufacturing" a pair of pants, thereby abrogating a quarter century of law and relieving the laundries of their previous legal obligations.

Because these new exemptions were enacted without regard for the normal legislative process—slipped into the bill without ever being in an introduced bill, without ever being the subject of a public hearing, and without ever being included in a fiscal note that reflected their cost—it is not surprising that they promote poor tax policy. First, these exemptions draw a seemingly arbitrary distinction between the laundries and dry cleaners fortunate enough to gain this generous new benefit and the rest who are left out to dry. Under this provision, a laundry that processes 59,999 pounds per week would have to continue paying their taxes, but a laundry processing a single pound more would be entitled to broad new exemptions from state and local taxes. This distorts the free market and puts smaller laundries and dry cleaners (not to mention the Missouri families who are doing their own laundry) in the position of subsidizing the operations of the larger ones. The large commercial laundries might be getting their detergent tax-free, but the rest of Missouri taxpayers would be getting taken to the cleaners.

Moreover, this provision does not simply give commercial laundries and dry cleaners the same tax exemptions enjoyed by other businesses. It gives them more lucrative ones. Although some of the tax exemptions available to manufacturers are limited solely to state taxes, these new exemptions for laundries would apply to local taxes as well. With this provision, the General Assembly would be privileging washing dirty clothes over manufacturing new products, giving commercial dry cleaners and laundries a better deal than Missouri manufacturers without any clearly-articulated economic justification for doing so and without requiring the creation of a even a single new job. Particularly when coupled with the fiscal irresponsibility of failing to account for the fiscal impact in the budget, these exemptions represent poor tax policy and poor fiscal policy, and cannot receive my approval.

#### **Corporate Income Allocation**

Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612 would enable additional businesses to reduce their corporate income taxes by utilizing an alternative method of calculating the amount of their income that is derived in Missouri. Legislation enacted last year authorized this alternative allocation method for manufacturers and other businesses selling tangible personal property. This provision would expand this alternative method to sellers of intangible personal property and service providers such as law firms, accounting firms, stock brokers, bond traders, real estate holding companies, and consultants.

Like many of the tax measures enacted during the final hours of the legislative session, this provision was never the subject of a public hearing and was not accounted for in the Fiscal Year 2015 budget passed by the General Assembly. A change to Missouri's tax policy that would reduce state revenues by up to \$15 million annually according to the legislature's own estimate should be the subject of open debate, and the foregone revenue must be accounted for in the budget in order to receive my support.

In accordance with the above-stated reasons for disapproval, I am returning Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612 without my approval.

Sincerely,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

July 8, 2014

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Bill No. 615 entitled:

#### **AN ACT**

To repeal sections 49.272, 452.556, 476.056, 478.320, 478.437, 478.464, 478.513, 478.600, 483.140, 488.012, 488.014, 488.426, 488.607, 550.040, 550.060, 575.153, and 610.021, RSMo, section 476.385 as enacted by conference committee substitute for house committee substitute for senate bill no. 23, ninety-seventh general assembly, first regular session, and section 476.385 as enacted by conference committee substitute for senate substitute for senate committee substitute for house bill no. 683, ninety-fifth general assembly, first regular session, and to enact in lieu thereof twenty-one new sections relating to the administration of justice, with an existing penalty provision, and an emergency clause for certain sections.

I disapprove of Conference Committee Substitute for House Committee Substitute for Senate Bill No. 615. My reasons for disapproval are as follows:

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 615 contains a number of worthwhile provisions that can become law with my action on other legislation. However, because this bill would reduce government transparency by exempting certain records of the Lieutenant Governor from disclosure under Chapter 610, RSMo, commonly known as the Missouri Sunshine Law, it does not receive my approval.

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 615 would amend Chapter 610, RSMo, to authorize the closure of “[i]ndividually identifiable records submitted to the office of the Lieutenant Governor concerning or relating to reports of waste, fraud, and abuse of public resources.” However, as noted by the State Auditor in his most recent audit of the Lieutenant Governor’s Office, “the Lieutenant Governor lacks the statutory authority to investigate public concerns regarding the suspected misuse of taxpayer monies or to create a website or telephone hotline for that purpose.”<sup>1</sup> Moreover, the State Auditor recognized that “because state law already provides other elected officials and agencies, such as the State Auditor, the Attorney General, the Department of Social Services, and the Department of Labor and Industrial Relations, Division of Workers’ Compensation, with authority to investigate fraud and misuse of public funds, the Lieutenant Governor’s Missouri Waste Report may be a duplication of effort and a waste of state resources.”

Missouri law already provides confidentiality protections for individuals making reports or allegations of improper governmental activity to agencies that actually have the statutory authority to investigate such allegations. For example, just last year I signed legislation authorizing the State Auditor to receive reports or allegations of improper governmental activities and allowing reporting individuals to choose to remain anonymous. *See* Section 29.221, RSMo. Although maintaining confidentiality may be warranted where information is being provided to an agency with the legal authority to investigate the allegations, there is no sound reason for shielding from public scrutiny an office that lacks such authority. Accordingly, this bill does not receive my approval.

In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Bill No. 615 without my approval.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

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<sup>1</sup> *See Audit of the Office of Lieutenant Governor*, Report No. 2013-099 (October 2013), which is available at <http://www.auditor.mo.gov/Press/2013-099.pdf>. In the audit, the State Auditor noted: “The General Assembly increased the Lieutenant Governor’s fiscal year 2014 personnel service appropriation by \$38,000 to support the website; through July 2013, the office had spent \$2,700 and the Lieutenant Governor’s campaign committee paid \$1,189 for the website.”

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

July 10, 2014

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 675 entitled:

AN ACT

To amend chapter 70, RSMo, by adding thereto one new section relating to the Missouri local government employees' retirement system.

I disapprove of Senate Committee Substitute for Senate Bill No. 675. My reasons for disapproval are as follows:

Senate Committee Substitute for Senate Bill No. 675 would allow a political subdivision to request that the Local Government Employees’ Retirement System (LAGERS) assume all duties and responsibilities related to the operation of the political subdivision’s prior, closed retirement plan. While there may be benefits for a political subdivision to have this option, it should not be provided without regard to the rights of plan participants and to local laws governing the administration of police and firefighter retirement plans. Because this is precisely what Senate Committee Substitute for Senate Bill No. 675 would do, it does not receive my approval.

Proponents of this legislation have stressed that the bill merely provides the option to transfer the administration of a prior, closed police or firefighter retirement plan to LAGERS. However, the bill would place the authority to exercise this option solely in the hands of the political subdivision employer, even if the transfer was opposed by the plan trustees, who, unlike the political subdivision employer, have a fiduciary obligation to plan participants. Moreover, Senate Committee Substitute for Senate Bill No. 675 would authorize the political subdivision to transfer plan administration to LAGERS even if the political subdivision’s own charter or ordinances would prohibit it, by authorizing the transfer “[n]otwithstanding any language to the contrary in any other statute, city ordinance or city charter. . .” Thus, in a charter city with a charter provision requiring a vote of the plan membership in order for there to be a change to the retirement plan for police officers and firefighters, this bill would nonetheless allow the political subdivision to transfer the retirement plan to LAGERS without the vote called for by the city charter.

Senate Committee Substitute for Senate Bill No. 675 would also enable political subdivisions to ignore the wishes of local voters. Voters in a number of Missouri communities have approved dedicated sales taxes to fund public safety, including police and fire retirement plan obligations. Local voters did so with the understanding that such plan obligations would be managed by local trustees. By enabling a political subdivision to nonetheless transfer plan administration away from local trustees, Senate Committee Substitute for Senate Bill No. 675 would

undermine the will of local voters and should not become the law of the state.

In accordance with the above stated reasons for disapproval, I am returning Senate Committee Substitute for Senate Bill No. 675 without my approval.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

July 10, 2014

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Substitute for Senate Bill No. 694 entitled:

AN ACT

To repeal sections 408.500, 408.505, and 408.506, RSMo, and to enact in lieu thereof three new sections relating to unsecured loans of five hundred dollars or less, with penalty provisions.

I disapprove of House Committee Substitute for Senate Substitute for Senate Bill No. 694. My reasons for disapproval are as follows:

House Committee Substitute for Senate Substitute for Senate Bill No. 694 provides false hope of true payday lending reform while in reality falling far short of the mark. This bill cannot be called meaningful reform and does not receive my approval.

Supporters point to the lower cap on interest this bill would impose, but allowing payday lenders to charge 912.5% for a 14-day loan is not true reform. Supporters point to the requirement that payday lenders offer extended payment plans, but in states where payday lenders are required to offer such plans they are seldom used by borrowers. Supporters point to the legislation's requirement for payday lenders to comply with "restrictions and prohibitions *applicable to creditors* contained in the federal Fair Debt Collection Practices Act," but the Fair Debt Collection Practices Act does not apply to creditors, which renders this requirement hollow. Supporters point to the prohibition on loan rollovers, but missing from the legislation is anything to address the unfortunately all-too-common situation where someone living paycheck-to-paycheck is offered multiple loans by multiple lenders at the same time or is encouraged to take out back-to-back loans from the same lender.

Although some may contend that House Committee Substitute for Senate Substitute for Senate Bill No. 694 is an improvement over the status quo, it fails to protect consumers and fails to prevent the cycle of debt that payday lending perpetuates. Instead, House Committee Substitute for Senate Substitute for Senate Bill No. 694 appears to be part of a coordinated effort by the payday loan industry to avoid more meaningful reform. This I cannot support.

In accordance with the above stated reasons for disapproval, I am returning House Committee Substitute for Senate Substitute for Senate Bill No. 694 without my approval.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Senator Richard moved that the Senate proceed to the order of business, Vetoed Bills, and that the calendar be called, which motion prevailed.

Senator Kraus moved that **CCS** for **HCS** for **SB 662** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaefer	Schmitt	Silvey	Wallingford

Wasson—25

NAYS—Senators

Chappelle-Nadal	Justus	Keaveny	Nasheed	Schaaf	Sifton	Walsh—7
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Absent—Senators—None



Absent with leave—Senators—None

Vacancies—2

Senator Pearce assumed the Chair.

Senator Kraus moved that **SCS** for **SB 829** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaefer	Schmitt	Silvey
Wallingford	Wasson—26						

NAYS—Senators

Curls	Justus	Keaveny	Schaaf	Sifton	Walsh—6		
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

President Kinder assumed the Chair.

**CCS** for **HCS** for **SB 584** was called thereafter and no motion was taken thereon.

Senator Kehoe moved that **SS** for **SB 673** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford
Wasson—25							

NAYS—Senators

Curls	Holsman	Justus	Keaveny	LeVota	Sifton	Walsh—7	
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Pearce assumed the Chair.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and adopted **HR 1**.

#### HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-seventh General Assembly, Second Regular Session, inform the Governor and the Senate that the House is duly convened and is now in session in the 2014 Constitutional Veto Session and ready for consideration of business.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate the House has passed Section 8.010 for the purpose of funding two (2) non-profit pilot alternative schools; Section 8.025 for the purpose of purchasing a secure web-based software and content service to provide emergency preparedness plans for all Missouri schools, Section 8.050 for reimbursing SAFE-Care providers for performing forensic medical exams on children suspected of having been physically abused; Section 8.085 for fringe benefits for the Independence Crime Lab; Section 8.095 for the Water Patrol Division for defibrillators for boats; and Section 8.110 for the Independence Crime Lab of Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2008, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also, the attached are certified copies of the Roll Calls pertaining to the above named sections of the Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2008.

Roll Call for Section 8.050 of **CCS** for **SCS** for **HCS** for **HB 2008** for reimbursing SAFE-Care providers:

AYES: 138

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gosen	Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson	Hoskins	Hough	Houghton
Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Lafaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	May	Mayfield	McCaherty	McCann Beatty
McGaugh	McKenna	McManus	Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Moon	Morris	Muntzel	Neely	Neth	Nichols
Norr	Parkinson	Peters	Pfautsch	Phillips	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieffer	Schupp	Shull	Shumake
Sisco	Solon	Sommer	Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webber	White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker						

NOES: 21

Butler	Carpenter	Colona	Conway 10	Gardner	Gatschenberger	Hubbard	Hummel
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Kratky	Marshall	McDonald	McNeil	Morgan	Otto	Pace	Pierson
Pogue	Rizzo	Schieber	Smith	Walton Gray			

PRESENT: 1

Green

ABSENT: 2

Hodges          Newman

VACANCIES: 1

Roll Call for Section 8.010 of **CCS** for **SCS** for **HCS** for **HB 2008**, for funding of two (2) non-profit alternative schools:

AYES: 125

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Brattin
Brown	Burlison	Burns	Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl	Dohrman	Dugger	Ellington
Elmer	Engler	Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Funderburk	Gannon	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hubrecht	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love	Lynch	Mayfield	McCaherty
McGaugh	McKenna	Meredith	Messenger	Miller	Mitten	Molendorp	Montecillo
Moon	Morris	Muntzel	Neely	Neth	Norr	Parkinson	Peters
Pfautsch	Phillips	Pike	Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Roorda	Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieffer	Shull	Shumake	Sisco	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker			

NOES: 36

Anders	Black	Butler	Carpenter	Colona	Conway 10	Curtis	Dunn
English	Frame	Gardner	Green	Hodges	Hummel	Kratky	Lafaver
Marshall	May	McCann Beatty	McDonald	McManus	McNeil	Mims	Morgan
Newman	Nichols	Otto	Pace	Pierson	Pogue	Rizzo	Runions
Schieber	Schupp	Smith	Walton Gray				

PRESENT: 0

ABSENT: 1

Gatschenberger

VACANCIES: 1

Roll Call for Section 8.025 of **CCS** for **SCS** for **HCS** for **HB 2008**, for emergency preparedness plans for all MO schools:

## AYES: 125

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Ellington	Elmer	Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fraker	Frame	Franklin	Frederick	Funderburk	Gannon
Gosen	Grisamore	Guernsey	Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough	Houghton	Hubrecht	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127	Koenig	Kolkmeier	Korman
Lafaver	Lair	Lant	Lauer	Leara	Lichtenegger	Love	Lynch
Mayfield	McCaherty	McGaugh	McKenna	Messenger	Miller	Molendorp	Montecillo
Moon	Morris	Muntzel	Neely	Neth	Parkinson	Peters	Pfautsch
Phillips	Pike	Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Roorda	Ross	Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieffer	Shull	Shumake	Sisco	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker			

## NOES: 36

Butler	Carpenter	Colona	Conway 10	Curtis	Dunn	Gardner	Gatschenberger
Green	Hodges	Hubbard	Hummel	Kelly 45	Kirkton	Kratky	Marshall
May	McCann Beatty	McDonald	McManus	McNeil	Meredith	Mims	Mitten
Morgan	Newman	Nichols	Norr	Otto	Pace	Pogue	Rizzo
Schieber	Schupp	Smith	Walton Gray				

## PRESENT: 0

## ABSENT: 1

Pierson

## VACANCIES: 1

Roll Call for Section 8.110 of CCS for SCS for HCS for **HB 2008**, for the Independence Crime Lab:

## AYES: 127

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Brattin	Brown	Burlison	Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Davis	Diehl	Dohrman	Dugger	Dunn
Ellington	Elmer	Engler	Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Funderburk	Gannon	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hubrecht	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kolkmeier	Korman	Lafaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love	Lynch	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus	Messenger	Miller	Mims
Molendorp	Montecillo	Moon	Morris	Muntzel	Neely	Neth	Parkinson
Peters	Pfautsch	Phillips	Pike	Redmon	Rehder	Reiboldt	Remole

Rhoads	Richardson	Riddle	Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieffer	Shull	Shumake	Sisco	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson	Torpey	Walker	Webber
White	Wieland	Wilson	Wood	Wright	Zerr	Mr Speaker	

## NOES: 35

Black	Burns	Butler	Carpenter	Colona	Curtis	Curtman	English
Frame	Gardner	Gatschenberger	Green	Hodges	Hummel	Kirkton	Koenig
Kratky	Marshall	May	McNeil	Meredith	Mitten	Morgan	Newman
Nichols	Norr	Otto	Pace	Pierson	Pogue	Rizzo	Schieber
Schupp	Smith	Walton Gray					

PRESENT: 0

ABSENT: 0

VACANCIES: 1

Roll Call for Section 8.085 of CCS for SCS for HCS for **HB 2008**, for fringe benefits for the Independence Crime Lab:

## AYES: 124

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Brattin	Brown	Burlison	Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Davis	Diehl	Dohrman	Dugger	Dunn
Ellington	Elmer	Engler	Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Funderburk	Gannon	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hubrecht	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	Messenger	Miller	Mims	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson	Peters	Pfautsch	Phillips
Pike	Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle
Roorda	Ross	Rowden	Rowland	Runions	Scharnhorst	Schatz	Schieffer
Shull	Shumake	Sisco	Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker				

## NOES: 38

Black	Burns	Butler	Carpenter	Colona	Curtis	Curtman	English
Frame	Gardner	Gatschenberger	Green	Hodges	Hummel	Kirkton	Koenig
Kratky	Lafaver	Marshall	May	McManus	McNeil	Meredith	Mitten
Montecillo	Morgan	Newman	Nichols	Norr	Otto	Pace	Pierson
Pogue	Rizzo	Schieber	Schupp	Smith	Walton Gray		

PRESENT: 0

ABSENT: 0

VACANCIES: 1

Roll Call for Section 8.095 of **CCS** for **SCS** for **HCS** for **HB 2008**, to Water Patrol Division for defibrillators on boats:

AYES: 126

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Burns	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Funderburk	Gannon	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hubrecht	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier	Korman
Lair	Lant	Lauer	Leara	Lichtenegger	Love	Lynch	Mayfield
McCaherty	McGaugh	McKenna	McManus	Messenger	Miller	Mitten	Molendorp
Montecillo	Moon	Morris	Muntzel	Neely	Neth	Nichols	Parkinson
Peters	Pfautsch	Phillips	Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieffer	Shull	Shumake	Sisco	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey	Walker	Webber	White
Wieland	Wilson	Wood	Wright	Zerr	Mr Speaker		

NOES: 35

Anders	Butler	Carpenter	Colona	Conway 10	Dunn	Ellington	English
Frame	Gardner	Gatschenberger	Green	Hodges	Hummel	Kratky	Lafaver
Marshall	May	McCann Beatty	McDonald	McNeil	Meredith	Mims	Morgan
Norr	Otto	Pace	Pierson	Pogue	Rizzo	Runions	Schieber
Schupp	Smith	Walton Gray					

PRESENT: 0

ABSENT: 1

Newman

VACANCIES: 1

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed Section 9.005 for mentoring services; Section 9.205 for substance abuse services; Section 9.250 for local sentencing initiatives of Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2009, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also, the attached are certified copies of the Roll Calls pertaining to the above named sections of the

Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2009.

Roll Call on Section 9.005 of **CCS** for **SCS** for **HCS** for **HB 2009**, for mentoring services:

AYES: 127

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Funderburk	Gannon	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton	Hubbard	Hubrecht	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeier	Korman	Lafaver	Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Mayfield	McCaherty	McGaugh	McKenna	Meredith	Messenger
Miller	Mitten	Molendorp	Montecillo	Moon	Morris	Muntzel	Neely
Neth	Nichols	Parkinson	Pfausch	Phillips	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda	Ross	Rowden
Rowland	Scharnhorst	Schatz	Shull	Shumake	Sisco	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson	Torpey	Walker	Webber
White	Wieland	Wilson	Wood	Wright	Zerr	Mr Speaker	

NOES: 34

Butler	Carpenter	Colona	Conway 10	Dunn	Ellington	English	Frame
Gardner	Gatschenberger	Green	Hummel	Kratky	Marshall	May	McCann Beatty
McDonald	McManus	McNeil	Mims	Morgan	Newman	Norr	Otto
Pace	Peters	Pierson	Pogue	Rizzo	Runions	Schieber	Schupp
Smith	Walton Gray						

PRESENT: 0

ABSENT: 1

Schieffer

VACANCIES: 1

Roll Call for Section 9.205 of **CCS** for **SCS** for **HCS** for **HB 2009**, for substance abuse services:

AYES: 128

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Burns	Cierpiot	Colona	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Ellington	Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fraker	Franklin	Frederick	Gannon	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough	Houghton	Hubbard	Hubrecht
Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Kelly 45	Kirkton

Koenig	Kolkmeyer	Korman	Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Mayfield	McCaherty	McGaugh	McKenna	Meredith	Messenger
Miller	Mims	Molendorp	Montecillo	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Peters	Pfautsch	Phillips	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieffer	Shull	Shumake	Sisco	Solon
Sommer	Spencer	Stream	Swan	Swearingen	Thomson	Torpey	Walker
Webber	White	Wieland	Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 32

Anders	Butler	Carpenter	Conway 10	Dunn	Frame	Gardner	Gatschenberger
Hummel	Kratky	Lafaver	Marshall	May	McCann Beatty	McDonald	McManus
McNeil	Mitten	Morgan	Newman	Nichols	Norr	Otto	Pace
Pierson	Pogue	Rizzo	Runions	Schieber	Schupp	Smith	Walton Gray

PRESENT: 1

Green

ABSENT: 1

Funderburk

VACANCIES: 1

Roll Call for Section 9.250 of **CCS** for **SCS** for **HCS** for **HB 2009**, for local sentencing initiatives:

AYES: 132

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns	Butler	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn	Ellington	Elmer	Engler
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Franklin	Frederick
Funderburk	Gannon	Gosen	Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson	Hodges	Hoskins	Houghton
Hubbard	Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman	Lafaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch	Mayfield	McCann Beatty	McGaugh
McKenna	McManus	Meredith	Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Moon	Morris	Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Roorda	Ross	Rowden	Rowland	Scharnhorst	Schatz	Schieffer
Shull	Shumake	Sisco	Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker				

NOES: 26

Carpenter	Colona	English	Frame	Gatschenberger	Green	Hummel	Kratky
Marshall	May	McDonald	McNeil	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Pogue	Rizzo	Runions	Schieber	Schupp



Smith                Walton Gray

PRESENT: 2

Gardner            Peters

ABSENT: 2

Hough              McCaherty

VACANCIES: 1

Senator Schaefer moved that Section 8.010 of **CCS** for **SCS** for **HCS** for **HB 2008**, for Juvenile Justice Delinquency Education Pilot, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Schaefer moved that Section 8.025 of **CCS** for **SCS** for **HCS** for **HB 2008**, for School Safety Grants from MoSmart, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Schaefer moved that Section 8.050 of **CCS** for **SCS** for **HCS** for **HB 2008**, for Forensic Exams for Abused Kids, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Schaefer moved that Section 8.085 of **CCS** for **SCS** for **HCS** for **HB 2008**, for MO State Highway Patrol Fringe Benefits, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Schaefer moved that Section 8.095 of **CCS** for **SCS** for **HCS** for **HB 2008**, for Water Patrol Lake Boat Defibrillators, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Schaefer moved that Section 8.110 of **CCS** for **SCS** for **HCS** for **HB 2008**, for Independence Crime Lab Takeover, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Schaefer moved that Section 9.005 of **CCS** for **SCS** for **HCS** for **HB 2009**, for AMACHI, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Schaefer moved that Section 9.205 of **CCS** for **SCS** for **HCS** for **HB 2009**, for Drug Treatment, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Schaefer moved that Section 9.250 of **CCS** for **SCS** for **HCS** for **HB 2009**, for Community Reentry Grants, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate the House has passed Section 10.110 for ex-offender treatment services; Section 10.410 for an autism spectrum disorder clinic; Section 10.410 for regional autism projects; Section 10.710 for epilepsy education; Section 10.710 for the Elks mobile dental program; Section 10.710 for a traumatic brain injury Medicaid waiver; Section 10.725 for the Missouri Area Health Education Centers Program; Section 10.740 for the expansion of newborn screening services; Section 10.820 for Alzheimer's grants; Section 10.825 for congregate and home-delivered meals of Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also, the attached are certified copies of the Roll Calls pertaining to the above named sections of the Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010.

Roll Call for Section 10.110 of **CCS** for **SCS** for **HCS** for **HB 2010**, for ex-offender treatment services:

AYES: 135

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns	Butler	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn	Ellington	Elmer	Engler
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame	Franklin
Frederick	Gannon	Gosen	Grisamore	Guernsey	Haahr	Haefner	Hampton

Hansen	Harris	Hicks	Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch	Mayfield	McCaherty	McCann Beatty
McGaugh	McKenna	McManus	Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Moon	Morris	Muntzel	Neely	Neth	Nichols
Parkinson	Peters	Pfautsch	Phillips	Pierson	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Shull	Shumake	Sisco	Solon
Sommer	Spencer	Stream	Swan	Swearingen	Thomson	Torpey	Walker
Webber	White	Wieland	Wilson	Wood	Wright	Zerr	

## NOES: 24

Carpenter	Colona	English	Gardner	Green	Hummel	Kratky	Lafaver
Marshall	May	McDonald	McNeil	Morgan	Newman	Norr	Otto
Pace	Pogue	Rizzo	Schieber	Schieffer	Schupp	Smith	Walton Gray

## PRESENT: 0

## ABSENT: 3

Funderburk	Gatschenberger	Mr Speaker
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## VACANCIES: 1

Roll Call for Section 10.410 of **CCS** for **SCS** for **HCS** for **HB 2010**, for an autism spectrum disorder clinic:

## AYES: 130

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellington	Elmer	Engler	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Franklin	Frederick	Gannon
Gosen	Grisamore	Guernsey	Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough	Houghton	Hubbard	Hubrecht
Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeier	Korman	Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Mayfield	McCaherty	McGaugh	McKenna	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips	Pierson	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz	Schieffer	Schupp	Shull
Shumake	Sisco	Solon	Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webber	White	Wieland	Wilson	Wood
Wright	Zerr						

## NOES: 28

Butler	Carpenter	Colona	English	Gardner	Gatschenberger	Green	Hodges
Hummel	Kratky	Lafaver	Marshall	May	McCann Beatty	McDonald	McManus
McNeil	Morgan	Newman	Nichols	Norr	Otto	Pace	Pogue
Rizzo	Schieber	Smith	Walton Gray				

## PRESENT: 1

Peters

## ABSENT: 3

Frame	Funderburk	Mr Speaker
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## VACANCIES: 1

Roll Call for Section 10.410 of **CCS** for **SCS** for **HCS** for **HB 2010**, for regional autism projects:

## AYES: 132

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame	Franklin	Frederick
Gannon	Gosen	Grisamore	Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins	Hough	Houghton	Hubbard
Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Lafaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Mayfield	McCaherty	McGaugh	McKenna
Meredith	Messenger	Miller	Mims	Mitten	Molendorp	Montecillo	Moon
Morris	Muntzel	Neely	Neth	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Roorda	Ross	Rowden	Rowland	Runions	Schatz	Schieffer
Shull	Shumake	Sisco	Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker				

## NOES: 28

Butler	Carpenter	Colona	Dunn	Gardner	Gatschenberger	Green	Hodges
Hummel	Kratky	Marshall	May	McCann Beatty	McDonald	McManus	McNeil
Morgan	Newman	Nichols	Norr	Otto	Pace	Pogue	Rizzo
Schieber	Schupp	Smith	Walton Gray				

## PRESENT: 0

## ABSENT: 2

Funderburk	Scharnhorst
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## VACANCIES: 1

Roll Call for Section 10.710 of **CCS** for **SCS** for **HCS** for **HB 2010**, for epilepsy education:

AYES: 122

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Burns	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman	Davis	Diehl	Dohrman
Dugger	Ellington	Elmer	Engler	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Gannon	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Houghton	Hubbard	Hubrecht	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch	Mayfield	McCaherty	McGaugh
McKenna	Meredith	Messenger	Miller	Mitten	Molendorp	Montecillo	Moon
Morris	Muntzel	Neely	Neth	Parkinson	Peters	Pfautsch	Phillips
Pike	Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle
Roorda	Ross	Rowden	Rowland	Schatz	Schieffer	Shull	Shumake
Sisco	Solon	Sommer	Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webber	White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker						

NOES: 35

Anders	Butler	Carpenter	Colona	Dunn	English	Frame	Gardner
Green	Hodges	Hummel	Kirkton	Kratky	Lafaver	Marshall	May
McCann Beatty	McDonald	McManus	McNeil	Mims	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Pogue	Rizzo	Runions	Schieber
Schupp	Smith	Walton Gray					

PRESENT: 0

ABSENT: 5

Conway 10	Funderburk	Gatschenberger	Hough	Scharnhorst
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VACANCIES: 1

Roll Call for Section 10.710 of **CCS** for **SCS** for **HCS** for **HB 2010**, for the Elks mobile dental program:

AYES: 125

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis	Davis	Diehl	Dohrman
Elmer	Engler	Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Gannon	Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Mayfield	McCaherty	McGaugh	McKenna
McNeil	Meredith	Messenger	Miller	Mims	Mitten	Molendorp	Montecillo

Moon	Morris	Muntzel	Neely	Neth	Norr	Parkinson	Pfautsch
Phillips	Pike	Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Roorda	Ross	Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieffer	Shull	Shumake	Sisco	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker			

NOES: 32

Butler	Carpenter	Colona	Dunn	Ellington	English	Frame	Gardner
Green	Hodges	Hubbard	Hummel	Kratky	Lafaver	Marshall	May
McCann Beatty	McDonald	McManus	Morgan	Newman	Nichols	Otto	Pace
Peters	Pierson	Pogue	Rizzo	Schieber	Schupp	Smith	Walton Gray

PRESENT: 0

ABSENT: 5

Conway 10	Curtman	Dugger	Funderburk	Gatschenberger
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VACANCIES: 1

Roll Call for Section 10.710 of **CCS** for **SCS** for **HCS** for **HB 2010**, for a traumatic brain injury Medicaid waiver:

AYES: 128

Allen	Anders	Anderson	Austin	Bahr	Barnes	Berry	Black
Brattin	Brown	Burlison	Burns	Cierpiot	Colona	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Davis	Diehl	Dohrman	Dugger
Ellington	Elmer	Engler	English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Frame	Franklin	Frederick	Funderburk	Gannon	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton	Hubbard	Hubrecht	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127	Kelly 45	Kirkton	Kolkmeyer
Korman	Lafaver	Lair	Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McGaugh	McKenna	Meredith	Messenger	Miller
Mitten	Molendorp	Montecillo	Moon	Morris	Muntzel	Neely	Neth
Nichols	Norr	Parkinson	Pfautsch	Phillips	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda	Ross	Rowland
Runions	Scharnhorst	Schatz	Schupp	Shull	Shumake	Sisco	Solon
Sommer	Spencer	Stream	Swan	Swearingen	Thomson	Torpey	Walker
Webber	White	Wieland	Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 31

Butler	Carpenter	Conway 10	Curtis	Curtman	Dunn	Gardner	Green
Hodges	Hummel	Koenig	Kratky	Marshall	May	McCann Beatty	McDonald
McManus	McNeil	Mims	Morgan	Newman	Otto	Pace	Peters
Pierson	Pogue	Rizzo	Schieber	Schieffer	Smith	Walton Gray	



PRESENT: 0

ABSENT: 3

Bernskoetter    Gatschenberger    Rowden

VACANCIES: 1

Roll Call for Section 10.725 of **CCS** for **SCS** for **HCS** for **HB 2010**, for the MO Area Health Education Centers Program:

AYES: 125

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Burns	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman	Davis	Diehl	Dohrman
Dugger	Ellington	Elmer	Engler	Englund	Fitzpatrick	Fitzwater	Flanigan
Fraker	Frame	Franklin	Funderburk	Gannon	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hubrecht	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier	Korman
Lair	Lant	Lauer	Leara	Lichtenegger	Love	Lynch	Mayfield
McCaherty	McGaugh	McKenna	Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Moon	Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Roorda	Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieffer	Shull	Shumake	Sisco	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker			

NOES: 34

Anders	Butler	Carpenter	Colona	Conway 10	Dunn	English	Gardner
Green	Hodges	Hummel	Kratky	Lafaver	Marshall	May	McCann Beatty
McDonald	McManus	McNeil	Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Pogue	Rizzo	Runions	Schieber	Schupp
Smith	Walton Gray						

PRESENT: 0

ABSENT: 3

Entlicher    Frederick    Gatschenberger

VACANCIES: 1

Roll Call for Section 10.740 of **CCS** for **SCS** for **HCS** for **HB 2010**, for the expansion of newborn screening services:

AYES: 129

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns	Cierpiot	Conway 10	Conway 104

Cookson	Cornejo	Cox	Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Ellington	Engler	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fraker	Frame	Franklin	Frederick	Funderburk	Gannon
Gosen	Grisamore	Guernsey	Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins	Hough	Houghton	Hubbard
Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Lafaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Mayfield	McCaherty	McGaugh	McKenna
McManus	Meredith	Messenger	Miller	Mitten	Molendorp	Montecillo	Moon
Morris	Muntzel	Neely	Neth	Parkinson	Pfautsch	Phillips	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda	Ross
Rowden	Rowland	Runions	Schatz	Schieffer	Shull	Shumake	Sisco
Solon	Sommer	Spencer	Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webber	White	Wieland	Wilson	Wood	Wright	Zerr

Mr Speaker

NOES: 27

Butler	Carpenter	Colona	Dunn	English	Green	Hummel	Kratky
Marshall	May	McCann Beatty	McDonald	McNeil	Mims	Morgan	Newman
Nichols	Norr	Otto	Pace	Pierson	Pogue	Rizzo	Schieber
Schupp	Smith	Walton Gray					

PRESENT: 2

Gardner Peters

ABSENT: 4

Elmer Gatschenberger Pike Scharnhorst

VACANCIES: 1

Roll Call for Section 10.820 of **CCS** for **SCS** for **HCS** for **HB 2010**, for Alzheimer's grants:

AYES: 131

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hubrecht	Hurst	Johnson	Jones 50	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Mayfield	McCaherty	McGaugh	McKenna
Meredith	Messenger	Miller	Mitten	Molendorp	Montecillo	Moon	Morris
Muntzel	Neely	Neth	Nichols	Parkinson	Pfautsch	Phillips	Pierson
Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst	Schatz	Schieffer	Schupp
Shull	Shumake	Sisco	Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webber	White	Wieland	Wilson	Wood

Wright      Zerr      Mr Speaker

NOES: 25

Butler	Carpenter	Colona	Gatschenberger	Green	Hodges	Hummel	Kratky
Lafaver	Marshall	May	McCann Beatty	McDonald	McManus	Mims	Morgan
Newman	Norr	Otto	Pace	Pogue	Rizzo	Schieber	Smith
Walton Gray							

PRESENT: 3

Gardner	McNeil	Peters
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ABSENT: 3

Justus	Pike	Solon
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VACANCIES: 1

Roll Call for Section 10.825 of **CCS** for **SCS** for **HCS** for **HB 2010**, for congregate and home-delivered meals:

AYES: 133

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gosen	Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	May	Mayfield	McCaherty	McGaugh
McKenna	Meredith	Messenger	Miller	Mitten	Molendorp	Montecillo	Moon
Morris	Muntzel	Neely	Neth	Norr	Parkinson	Peters	Pfautsch
Phillips	Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle
Roorda	Ross	Rowden	Rowland	Runions	Scharnhorst	Schatz	Schieffer
Schupp	Shull	Shumake	Sisco	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker			

NOES: 23

Butler	Carpenter	Colona	Dunn	Gatschenberger	Green	Hummel	Kratky
Lafaver	Marshall	McCann Beatty	McDonald	McManus	McNeil	Morgan	Newman
Nichols	Otto	Pierson	Pogue	Rizzo	Schieber	Smith	

PRESENT: 4

Gardner	Mims	Pace	Walton Gray
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ABSENT: 2

Grisamore	Pike
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VACANCIES: 1

Senator Schaefer moved that Section 10.110 of **CCS** for **SCS** for **HCS** for **HB 2010** for Ex-Offender Treatment Program (Vivitrol) be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Schaefer moved that Section 10.410 of **CCS** for **SCS** for **HCS** for **HB 2010**, for Regional Autism Projects, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Schaefer moved that Section 10.410 of **CCS** for **SCS** for **HCS** for **HB 2010**, for Autism Diagnostic Centers, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Keaveny—1

Absent—Senator Nieves—1

Absent with leave—Senators—None

Vacancies—2

Senator Schaefer moved that Section 10.710 of **CCS** for **SCS** for **HCS** for **HB 2010**, for Epilepsy Training, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Keaveny—1

Absent—Senator Lager—1

Absent with leave—Senators—None

Vacancies—2

Senator Schaefer moved that Section 10.710 of **CCS** for **SCS** for **HCS** for **HB 2010**, for Brain Injury Waiver, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Keaveny—1

Absent—Senator Dempsey—1

Absent with leave—Senators—None

Vacancies—2

Senator Nieves assumed the Chair.

Senator Schaefer moved that Section 10.710 of **CCS** for **SCS** for **HCS** for **HB 2010**, for Elks Mobile Dental Program, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
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Justus	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Schaefer moved that Section 10.725 of **CCS** for **SCS** for **HCS** for **HB 2010**, for Missouri Area Health Education Centers Program, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lager	Lamping	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Keaveny—1

Absent—Senator LeVota—1

Absent with leave—Senators—None

Vacancies—2

Senator Schaefer moved that Section 10.740 of **CCS** for **SCS** for **HCS** for **HB 2010**, for Newborn Screening Services NDI, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Schaefer moved that Section 10.820 of **CCS** for **SCS** for **HCS** for **HB 2010**, for Alzheimer's Grants, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Schaefer moved that Section 10.825 of **CCS** for **SCS** for **HCS** for **HB 2010**, for Area Agencies on Aging Increase, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

## RESOLUTIONS

Senator Dempsey offered Senate Resolution No. 3, regarding Carla Incerta, St. Charles, which was adopted.

Senator Schmitt offered Senate Resolution No. 4, regarding Jeffery Daniel Burke, which was adopted.

Senator Kehoe, joined by the entire membership, offered the following resolution, which was read and adopted:

## SENATE RESOLUTION NO. 5

Whereas, the members of the Missouri Senate occasionally pause in their diverse daily activities in order to acknowledge milestone events in the lives and careers of Show-Me State residents who have proven down through the years to be exemplary citizens in local communities;

and

Whereas, Bob Priddy of Jefferson City, Missouri, has attained considerable distinction as the former news director of KLIK radio and has been the news director of the statewide commercial radio network MissouriNet since its founding in November 1974; and

Whereas, in November 2014, Bob Priddy is drawing his leadership of MissouriNet to a close in well-deserved retirement after forty years of service; and

Whereas, Bob Priddy prepared for his diverse responsibilities in life by earning a degree in journalism from the University of Missouri and continuing his higher education through graduate studies in journalism and education; and

Whereas, no stranger to honors and accolades, Bob Priddy is the recipient of a Faculty-Alumni Award from the University Alumni Association, an Honor Medal from the School of Journalism, and a Gregory Stockard Distinguished Service Award from the Radio Television News Directors Association and the Radio and Television News Directors Foundation; and

Whereas, Bob Priddy is the author of five books, three of which are based on his popular daily radio program, “Across Our Wide Missouri”; one of which is a biography of Thomas Hart Benton, “Only the Rivers Are Peaceful: The Missouri Mural of Thomas Hart Benton”; and one of which is “The Art of the Missouri Capitol: History in Canvas, Bronze, and Stone”; and

Whereas, Bob Priddy is justifiably proud to be known as the beloved husband of Nancy, a loving father of Liz and Rob, a wonderful grandfather to Addison and Elena Priddy, and a devout member of First Christian Church/Disciples of Christ in Jefferson City:

Now, Therefore, Be It Resolved that we, the members of the Missouri Senate, Ninety-seventh General Assembly, join to applaud the personal and professional accomplishments garnered thus far in the life and work of Bob Priddy and to convey to him this legislative body’s most heartfelt best wishes as he partakes in the special opportunities and pleasures traditionally associated with the golden years of retirement; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for presentation to Bob Priddy of Jefferson City, Missouri.

## VETOED BILLS

Senator Wasson moved that **SS** for **SCS** for **SB 841** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Kehoe	Kraus	Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaefer	Schmitt	Sifton
Wallingford	Wasson—26						

### NAYS—Senators

Justus	Keaveny	LeVota	Schaaf	Silvey	Walsh—6
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Cunningham moved that **CCS** for **HCS** for **SS** for **SB 860** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

### YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Kehoe
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Kraus	Lager	Lamping	Libla	Munzlinger	Nieves	Parson	Pearce
Richard	Romine	Sater	Schaefer	Schmitt	Silvey	Wallingford	Wasson—24

NAYS—Senators

Curls	Justus	Keaveny	LeVota	Nasheed	Schaaf	Sifton	Walsh—8
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Wasson moved that **SS** for **SB 866** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Kehoe	Kraus	Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Silvey	Wallingford	Wasson—27					

NAYS—Senators

Justus	Keaveny	LeVota	Sifton	Walsh—5
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Sater moved that **SS** for **SCS** for **SB 593** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford
Wasson—25							

NAYS—Senators

Curls	Holsman	Justus	Keaveny	LeVota	Sifton	Walsh—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Emery moved that **SB 523** be passed, the objections of the Governor thereto notwithstanding,

which motion received the necessary two-thirds majority by the following vote:

## YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford

Wasson—25

## NAYS—Senators

Curls	Holsman	Justus	Keaveny	LeVota	Sifton	Walsh—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Photographers from the Columbia Missourian and Jefferson City News Tribune were given permission to take pictures in the Senate Chamber.

Senator Schmitt assumed the Chair.

Senator Kraus moved that **CCS** for **HCS** for **SB 656** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

## YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

## NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	Nasheed	Sifton	Walsh—8
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Absent—Senator LeVota—1

Absent with leave—Senators—None

Vacancies—2

Senator Munzlinger moved that **HCS** for **SB 506** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

## YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Silvey	Wasson—24

## NAYS—Senators

Holsman	Justus	Keaveny	Schmitt	Sifton	Wallingford	Walsh—7
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Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate the House has passed Section 11.100 for the Missouri Mentoring Partnership; Section 11.152 for transfer to the Utilicare Stabilization Fund; Section 11.153 for the Utilicare Program; Section 11.157 for sexual assault victim assistance services and programs; Section 11.220 for an Internet-based health record system for foster children; Section 11.223 for Social Innovation Project Grants; Section 11.225 for training of foster parents; Section 11.285 for the purpose of funding the Hand Up pilot program; Section 11.440 for clinical medication therapy services; Section 11.465 for rural health clinic dental pilot project; Section 11.490 for the Community Health Access Programs (CHAPs); Section 11.527 for a medical and behavioral health home pilot project for foster care in the St. Louis region; Section 11.528 for asthma related services; Section 11.529 for a Regional Care Coordination Model for Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also, the attached are certified copies of the Roll Calls pertaining to the above named sections of the Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011.

Roll Call for Section 11.100 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for the Missouri Mentoring Partnership:

AYES: 124

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Burns	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman	Davis	Diehl	Dohrman
Dugger	Ellington	Elmer	Engler	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Gannon	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hubrecht	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier	Korman
Lafaver	Lair	Lant	Lauer	Leara	Lichtenegger	Love	Lynch
Mayfield	McCaherty	McGaugh	McKenna	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Redmon	Rehder	Reiboldt	Rhoads	Richardson
Riddle	Roorda	Ross	Rowden	Rowland	Scharnhorst	Schatz	Schieffer
Shull	Shumake	Sisco	Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker				

NOES: 34

Anders	Butler	Carpenter	Colona	Conway 10	Dunn	English	Frame
Gardner	Gatschenberger	Green	Hodges	Hummel	Kratky	Marshall	May
McCann Beatty	McDonald	McManus	McNeil	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Pogue	Rizzo	Runions	Schupp
Smith	Walton Gray						

PRESENT: 0

ABSENT: 4

Funderburk	Pike	Remole	Schieber
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VACANCIES: 1

Roll Call for Section 11.152 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for transfer to the Utilicare Stabilization Fund:

AYES: 127

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns	Butler	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame	Franklin	Frederick
Gannon	Gosen	Grisamore	Guernsey	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough	Houghton	Hubbard	Hubrecht
Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeier	Korman	Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	May	Mayfield	McCaherty	McGaugh	McKenna	Meredith
Messenger	Miller	Mims	Mitten	Molendorp	Montecillo	Moon	Morris
Muntzel	Neely	Neth	Norr	Parkinson	Pfautsch	Phillips	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda	Ross
Rowland	Scharnhorst	Schatz	Schieffer	Shull	Shumake	Sisco	Solon
Sommer	Spencer	Stream	Swan	Swearingen	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Wright	Zerr	Mr Speaker	

NOES: 28

Carpenter	Colona	Dunn	Ellington	Gardner	Gatschenberger	Green	Hodges
Hummel	Kratky	Lafaver	Marshall	McCann Beatty	McDonald	McManus	McNeil
Morgan	Newman	Nichols	Otto	Pace	Peters	Pierson	Pogue
Rizzo	Schupp	Smith	Walton Gray				

PRESENT: 0

ABSENT: 7

Funderburk	Haahr	Pike	Rowden	Runions	Schieber	Webber
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VACANCIES: 1

Roll Call for Section 11.153 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for the Utilicare Program:

AYES: 129

Allen	Anders	Anderson	Austin	Bahr	Bernskoetter	Berry	Black
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Brattin	Brown	Burlison	Burns	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fraker	Frame	Franklin	Frederick	Funderburk	Gannon
Gosen	Grisamore	Guernsey	Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough	Houghton	Hubbard	Hubrecht
Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeier	Korman	Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Mayfield	McCaherty	McGaugh	McKenna	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo	Moon	Morris	Muntzel
Neely	Neth	Norr	Parkinson	Pfautsch	Phillips	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieffer	Shull	Shumake	Sisco
Solon	Sommer	Spencer	Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webber	White	Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker							

## NOES: 28

Butler	Carpenter	Colona	Dunn	Ellington	Gatschenberger	Green	Hodges
Hummel	Kratky	Lafaver	Marshall	May	McCann Beatty	McDonald	McManus
McNeil	Morgan	Newman	Nichols	Otto	Pace	Pierson	Pogue
Rizzo	Schieber	Schupp	Walton Gray				

## PRESENT: 2

Gardner	Peters
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## ABSENT: 3

Barnes	Pike	Smith
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## VACANCIES—1

Roll Call for Section 11.157 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for sexual assault victim assistance:

## AYES: 135

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dunn	Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gosen	Grisamore	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman	Lafaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch	Mayfield	McCaherty	McCann Beatty
McGaugh	McKenna	McManus	Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Moon	Morris	Muntzel	Neely	Neth	Nichols

Norr	Parkinson	Pfautsch	Phillips	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross	Rowden	Rowland	Runions
Schatz	Schieffer	Schupp	Shull	Shumake	Sisco	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson	Torpey	Walker	Webber
White	Wieland	Wilson	Wood	Wright	Zerr	Mr Speaker	

NOES: 18

Butler	Carpenter	Colona	Hummel	Kratky	Marshall	May	McDonald
McNeil	Morgan	Newman	Otto	Pierson	Pogue	Rizzo	Schieber
Smith	Walton Gray						

PRESENT: 4

Gardner	Green	Pace	Peters
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ABSENT: 5

Dugger	Gatschenberger	Guernsey	Pike	Scharnhorst
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VACANCIES: 1

Roll Call for Section 11.220 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for a health record system for foster children:

AYES: 122

Allen	Anderson	Austin	Bahr	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman	Davis	Diehl	Dohrman
Dugger	Ellington	Elmer	Engler	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Frame	Franklin	Frederick	Funderburk	Gannon	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton	Hubrecht	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kirkton	Koenig	Kolkmeier	Korman
Lafaver	Lair	Lant	Lauer	Leara	Lichtenegger	Love	Lynch
Mayfield	McCaherty	McGaugh	McKenna	Messenger	Miller	Mitten	Molendorp
Montecillo	Moon	Morris	Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle
Roorda	Ross	Rowden	Rowland	Schatz	Schieffer	Shull	Shumake
Sisco	Solon	Sommer	Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webber	White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker						

NOES: 34

Anders	Butler	Carpenter	Colona	Dunn	English	Gardner	Green
Hodges	Hummel	Kelly 45	Kratky	Marshall	May	McCann Beatty	McDonald
McManus	McNeil	Meredith	Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Pogue	Rizzo	Runions	Schieber	Schupp
Smith	Walton Gray						

PRESENT: 0

## ABSENT: 6

Barnes                Gatschenberger    Hubbard                Mims                Pike                Scharnhorst

## VACANCIES: 1

Roll Call for Section 11.223 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for Social Innovation Project Grants:

## AYES: 119

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Burns	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman	Davis	Diehl	Dohrman
Elmer	Engler	Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Funderburk	Gannon	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier	Korman	Lafaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love	Lynch	Mayfield	McCaherty
McGaugh	McKenna	Messenger	Miller	Mitten	Molendorp	Montecillo	Moon
Morris	Muntzel	Neely	Neth	Parkinson	Pfautsch	Phillips	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda	Ross
Rowden	Rowland	Schatz	Shull	Shumake	Sisco	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson	Torpey	Walker	Webber
White	Wieland	Wilson	Wood	Wright	Zerr	Mr Speaker	

## NOES: 38

Anders	Butler	Carpenter	Colona	Conway 10	Dunn	Ellington	English
Frame	Gardner	Green	Hodges	Hubbard	Hummel	Kratky	Marshall
May	McCann Beatty	McDonald	McManus	McNeil	Meredith	Mims	Morgan
Newman	Nichols	Norr	Otto	Pace	Pierson	Pogue	Rizzo
Runions	Schieber	Schieffer	Schupp	Smith	Walton Gray		

## PRESENT: 1

Peters

## ABSENT: 4

Dugger                Gatschenberger    Pike                Scharnhorst

## VACANCIES: 1

Roll Call for Section 11.225 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for training of foster parents:

## AYES: 128

Allen	Anders	Anderson	Austin	Bahr	Barnes	Berry	Black
Brattin	Brown	Burlison	Burns	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellington	Elmer	Engler	Englund	Entlicher

Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gosen	Grisamore	Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins	Hough	Houghton	Hubbard
Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Kolkmeier	Korman	Lafaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Mayfield	McCaherty	McCann Beatty	McGaugh	McKenna
Meredith	Messenger	Miller	Mitten	Molendorp	Montecillo	Moon	Morris
Muntzel	Neely	Norr	Parkinson	Pfausch	Phillips	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda	Ross	Rowden
Rowland	Runions	Schatz	Schieffer	Shull	Shumake	Sisco	Solon
Sommer	Spencer	Stream	Swan	Swearingen	Thomson	Torpey	Walker
Webber	White	Wieland	Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 28

Butler	Carpenter	Colona	English	Gardner	Green	Hodges	Hummel
Kratky	Marshall	May	McDonald	McManus	McNeil	Mims	Morgan
Newman	Nichols	Otto	Pace	Peters	Pierson	Pogue	Rizzo
Schieber	Schupp	Smith	Walton Gray				

PRESENT: 1

Koenig

ABSENT: 5

Bernskoetter	Gatschenberger	Neth	Pike	Scharnhorst
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VACANCIES: 1

Roll Call for Section 11.285 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for funding the Hand Up pilot program:

AYES: 122

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Ellington	Elmer	Engler	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Frame	Franklin	Frederick	Funderburk	Gannon	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton	Hubbard	Hubrecht	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127	Kirkton	Koenig	Kolkmeier
Korman	Lafaver	Lair	Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McGaugh	McKenna	Meredith	Messenger	Miller
Mitten	Montecillo	Moon	Morris	Muntzel	Neely	Neth	Parkinson
Pfausch	Phillips	Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Roorda	Ross	Rowden	Rowland	Runions	Schatz	Shull
Shumake	Sisco	Solon	Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webber	White	Wieland	Wood	Wright
Zerr	Mr Speaker						



NOES: 35

Butler	Carpenter	Colona	Conway 10	Curtis	Dunn	English	Gardner
Green	Hodges	Hummel	Kelly 45	Kratky	Marshall	May	McCann Beatty
McDonald	McManus	McNeil	Mims	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Pogue	Rizzo	Schieber	Schieffer
Schupp	Smith	Walton Gray					

PRESENT: 0

ABSENT: 5

Gatschenberger	Molendorp	Pike	Scharnhorst	Wilson
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VACANCIES: 1

Roll Call for Section 11.440 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for clinical medication therapy services:

AYES: 119

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Burns	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Funderburk	Gannon	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch	Mayfield	McCaherty	McGaugh
McKenna	Meredith	Messenger	Miller	Mitten	Molendorp	Montecillo	Moon
Morris	Muntzel	Neely	Neth	Parkinson	Pfautsch	Phillips	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda	Ross
Rowden	Rowland	Schatz	Schieffer	Shull	Shumake	Sisco	Solon
Sommer	Spencer	Stream	Swan	Swearingen	Thomson	Torpey	Walker
Webber	White	Wieland	Wood	Wright	Zerr	Mr Speaker	

NOES: 39

Anders	Butler	Carpenter	Colona	Conway 10	Curtis	Dunn	Ellington
English	Frame	Gardner	Green	Hodges	Hubbard	Hummel	Kratky
Lafaver	Marshall	May	McCann Beatty	McDonald	McManus	McNeil	Mims
Morgan	Newman	Nichols	Norr	Otto	Pace	Peters	Pierson
Pogue	Rizzo	Runions	Schieber	Schupp	Smith	Walton Gray	

PRESENT: 0

ABSENT: 4

Gatschenberger	Pike	Scharnhorst	Wilson
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VACANCIES: 1

Roll Call for Section 11.465 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for rural health clinic dental pilot project:

AYES: 121

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Burns	Cierpiot	Conway 104	Cookson	Cox
Crawford	Cross	Curtman	Davis	Diehl	Dohrman	Dugger	Elmer
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Mayfield	McCaherty	McGaugh	McKenna
Meredith	Messenger	Miller	Mitten	Molendorp	Montecillo	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch	Phillips	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieffer	Schupp	Shull	Shumake	Sisco
Solon	Sommer	Spencer	Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webber	White	Wieland	Wilson	Wood	Wright	Zerr

Mr Speaker

NOES: 36

Anders	Butler	Carpenter	Colona	Conway 10	Curtis	Dunn	Ellington
English	Gardner	Green	Hodges	Hubbard	Hummel	Kratky	Lafaver
Marshall	May	McCann Beatty	McDonald	McManus	McNeil	Mims	Morgan
Newman	Nichols	Norr	Otto	Pace	Peters	Pierson	Pogue
Rizzo	Schieber	Smith	Walton Gray				

PRESENT: 0

ABSENT: 5

Cornejo	Engler	Gatschenberger	Pike	Runions
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VACANCIES: 1

Roll Call for Section 11.490 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for the Community Health Access Programs (CHAPs):

AYES: 123

Allen	Anderson	Austin	Bahr	Barnes	Berry	Black	Brattin
Brown	Burlison	Burns	Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	English	Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Funderburk	Gannon	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hubrecht	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier	Korman

Lair	Lant	Lauer	Leara	Lichtenegger	Love	Lynch	Mayfield
McCaherty	McGaugh	McKenna	McNeil	Messenger	Miller	Mitten	Molendorp
Montecillo	Moon	Morris	Muntzel	Neely	Neth	Norr	Parkinson
Pfautsch	Phillips	Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Roorda	Ross	Rowden	Rowland	Scharnhorst	Schatz	Schieffer
Shull	Shumake	Sisco	Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker					

## NOES: 34

Anders	Butler	Carpenter	Colona	Dunn	Ellington	Frame	Gardner
Gatschenberger	Green	Hodges	Hummel	Kratky	Lafaver	Marshall	May
McCann Beatty	McDonald	McManus	Meredith	Mims	Morgan	Newman	Nichols
Otto	Peters	Pierson	Pogue	Rizzo	Runions	Schieber	Schupp
Smith	Walton Gray						

## PRESENT: 1

Pace

## ABSENT: 4

Bernskoetter	Curtis	Pike	Webber
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## VACANCIES: 1

Roll Call for Section 11.527 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for a pilot project for foster care:

## AYES: 127

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Burns	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis	Diehl	Dohrman	Dugger
Ellington	Elmer	Engler	English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Frame	Franklin	Frederick	Funderburk	Gannon	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton	Hubrecht	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Lafaver	Lair	Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McGaugh	McKenna	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo	Moon	Morris	Muntzel
Neely	Neth	Norr	Parkinson	Pfautsch	Phillips	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieffer	Shull	Shumake	Sisco	Solon
Sommer	Spencer	Stream	Swan	Swearingen	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Wright	Zerr	Mr Speaker	

## NOES: 31

Anders	Butler	Carpenter	Colona	Conway 10	Curtis	Dunn	Gardner
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Green	Hodges	Hubbard	Hummel	Kratky	Marshall	McCann Beatty	McDonald
McManus	Morgan	Newman	Nichols	Otto	Pace	Peters	Pierson
Pogue	Rizzo	Runions	Schieber	Schupp	Smith	Walton Gray	

PRESENT: 0

ABSENT: 4

Gatschenberger	May	Pike	Webber
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VACANCIES: 1

Roll Call for Section 11.528 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for asthma related services:

AYES: 118

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Black	Brattin
Brown	Burlison	Burns	Cierpiot	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gosen	Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127
Kolkmeier	Korman	Lafaver	Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Mayfield	McCaherty	McGaugh	McKenna	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieffer	Shull	Shumake	Sisco	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Wright	Zerr	Mr Speaker		

NOES: 38

Anders	Butler	Carpenter	Colona	Conway 10	Curtis	Curtman	Dunn
Ellington	Gardner	Green	Hodges	Hummel	Kelly 45	Kirkton	Koenig
Kratky	Marshall	May	McCann Beatty	McDonald	McManus	McNeil	Morgan
Newman	Nichols	Norr	Otto	Pace	Peters	Pierson	Pogue
Rizzo	Runions	Schieber	Schupp	Smith	Walton Gray		

PRESENT: 0

ABSENT: 6

Berry	Conway 104	Dugger	Gatschenberger	Pike	Webber
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VACANCIES: 1

Roll Call for Section 11.529 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for a Regional Care Coordination Model:

## AYES: 123

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Burns	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Frame	Franklin	Frederick	Funderburk	Gannon	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton	Hubbard	Hubrecht	Hurst
Johnson	Justus	Keeney	Kelley 127	Kirkton	Koenig	Kolkmeier	Korman
Lair	Lant	Lauer	Leara	Lichtenegger	Love	Lynch	Mayfield
McCaherty	McGaugh	McKenna	McNeil	Meredith	Messenger	Miller	Mitten
Molendorp	Montecillo	Moon	Morris	Muntzel	Neely	Neth	Norr
Parkinson	Peters	Pfautsch	Phillips	Redmon	Rehder	Reiboldt	Remole
Rhoads	Riddle	Roorda	Ross	Rowden	Rowland	Schatz	Schieffer
Shull	Shumake	Sisco	Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker					

## NOES: 34

Anders	Butler	Carpenter	Colona	Curtis	Dunn	Ellington	Gardner
Gatschenberger	Green	Hodges	Hummel	Kelly 45	Kratky	Lafaver	Marshall
May	McCann Beatty	McDonald	McManus	Mims	Morgan	Newman	Nichols
Otto	Pace	Pierson	Pogue	Rizzo	Runions	Schieber	Schupp
Smith	Walton Gray						

## PRESENT: 0

## ABSENT: 5

Jones 50	Pike	Richardson	Scharnhorst	Webber
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## VACANCIES: 1

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate the House has passed Section 12.400 for contractual services for the Office of the State Public Defender of Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2012, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also, the attached is a certified copy of the Roll Call pertaining to the above named section of the Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2012.

Roll Call for Section 12.400 of CCS for SCS for HCS for HB 2012, for the Office of the State Public Defender:

AYES: 123

Allen	Anders	Anderson	Austin	Bahr	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Cierpiot	Conway 104	Cookson	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl	Dohrman	Ellington	Elmer
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman	Lafaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch	Mayfield	McCaherty	McGaugh
McKenna	McManus	Meredith	Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Moon	Morris	Muntzel	Neely	Neth	Nichols	Norr
Parkinson	Pfautsch	Phillips	Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Roorda	Ross	Rowden	Rowland	Runions	Schatz
Shull	Shumake	Sisco	Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker					

NOES: 31

Burns	Butler	Carpenter	Colona	Conway 10	Dunn	English	Gardner
Gatschenberger	Green	Hodges	Hummel	Kratky	Marshall	May	McCann Beatty
McDonald	McNeil	Morgan	Newman	Otto	Pace	Peters	Pierson
Pogue	Rizzo	Schieber	Schieffer	Schupp	Smith	Walton Gray	

PRESENT: 0

ABSENT: 8

Barnes	Cornejo	Dugger	Engler	Kelley 127	Pike	Scharnhorst	Webber
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VACANCIES: 1

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed Section 2.016 for an intensive reading instruction program for provisionally accredited or unaccredited school districts; Section 2.017 for the Bright Futures Program; Section 2.020 for a program to recruit, train and/or develop teachers to teach in academically struggling school districts; Section 2.021 for a math and science tutoring program in St. Louis City; Section 2.030 for purpose of funding the Missouri Scholars and Fine Arts Academies; Section 2.035 for grants to establish safe schools programs; Section 2.120 for Advanced Placement examination fees; Section 2.170 for Independent Living Centers; Section 2.205 for the Sheltered Workshops Program; Section 2.240 for the Missouri Commission for the Deaf and Hard of Hearing; Section 2.255 for transfer to the State School Moneys Fund to Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2002, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also, the attached are certified copies of the Roll Calls pertaining to the above named sections of the

Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2002.

Roll Call for Section 2.255 of **CCS** for **SCS** for **HCS** for **HB 2002**, for transfer to the State School Moneys Fund:

AYES: 116

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Burns	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Davis	Diehl	Dohrman	Elmer	Engler
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Lynch	Mayfield	McCaherty	McGaugh	McKenna	Meredith
Messenger	Miller	Mitten	Molendorp	Montecillo	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfausch	Phillips	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda	Ross	Rowden	Rowland
Schatz	Schieffer	Shull	Shumake	Sisco	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey	Walker	Webber	White
Wieland	Wood	Wright	Zerr				

NOES: 39

Anders	Butler	Carpenter	Colona	Conway 10	Curtis	Curtman	Dunn
Ellington	English	Gatschenberger	Hubbard	Hummel	Koenig	Kratky	Lafaver
Love	Marshall	McCann Beatty	McDonald	McManus	McNeil	Mims	Morgan
Newman	Nichols	Norr	Otto	Pace	Pierson	Pogue	Rizzo
Runions	Schieber	Schupp	Smith	Walton Gray	Wilson	Mr Speaker	

PRESENT: 3

Gardner	Green	Peters
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ABSENT: 4

Dugger	May	Pike	Scharnhorst
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VACANCIES: 1

Roll Call for Section 2.240 of **CCS** for **SCS** for **HCS** for **HB 2002**, for the MO Commission for the Deaf and Hard of Hearing:

AYES: 132

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gosen	Grisamore	Haahr	Haefner	Hampton	Hansen

Harris	Hicks	Higdon	Hinson	Hoskins	Hough	Houghton	Hubbard
Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Mayfield	McCaherty	McCann Beatty	McGaugh	McKenna
McManus	Meredith	Messenger	Miller	Mims	Mitten	Molendorp	Montecillo
Moon	Morris	Muntzel	Neely	Neth	Norr	Parkinson	Pfautsch
Phillips	Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle
Roorda	Ross	Rowden	Rowland	Runions	Schatz	Schieffer	Schupp
Shull	Shumake	Sisco	Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker				

## NOES: 20

Carpenter	Colona	Green	Hodges	Hummel	Kratky	Lafaver	Marshall
McDonald	McNeil	Morgan	Newman	Nichols	Otto	Pierson	Pogue
Rizzo	Schieber	Smith	Walton Gray				

## PRESENT: 4

Ellington	Gardner	Pace	Peters
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## ABSENT: 6

Butler	Gatschenberger	Guernsey	May	Pike	Scharnhorst
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## VACANCIES: 1

Roll Call for Section 2.205 of **CCS** for **SCS** for **HCS** for **HB 2002**, for the Sheltered Workshops Program:

## AYES: 128

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brown	Burlison	Burns	Butler	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross	Curtis	Curtman	Diehl
Dohrman	Engler	English	Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Funderburk	Gannon	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard	Hubrecht	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier
Korman	Lafaver	Lair	Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McGaugh	McKenna	McManus	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo	Moon	Morris	Muntzel
Neely	Neth	Norr	Parkinson	Pfautsch	Phillips	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda	Ross	Rowden
Rowland	Runions	Schatz	Schieffer	Shull	Shumake	Sisco	Solon
Sommer	Spencer	Stream	Swan	Swearingen	Thomson	Torpey	Walker
Webber	White	Wieland	Wilson	Wood	Wright	Zerr	Mr Speaker



## NOES: 22

Carpenter	Colona	Dunn	Frame	Gatschenberger	Green	Hummel	Kratky
Marshall	McCann Beatty	McDonald	McNeil	Morgan	Newman	Nichols	Otto
Pierson	Pogue	Rizzo	Schieber	Schupp	Smith		

## PRESENT: 5

Ellington	Gardner	Pace	Peters	Walton Gray
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## ABSENT: 7

Brattin	Davis	Dugger	Elmer	May	Pike	Scharnhorst
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## VACANCIES: 1

Roll Call for Section 2.170 of **CCS** for **SCS** for **HCS** for **HB 2002**, for Independent Living Centers:

## AYES: 126

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gosen	Grisamore	Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough	Houghton	Hubbard	Hubrecht
Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Kirkton	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McGaugh	McKenna	McManus	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Moon	Morris	Muntzel	Neely
Neth	Norr	Parkinson	Pfautsch	Phillips	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda	Ross	Rowden	Rowland
Runions	Schatz	Schieffer	Shull	Shumake	Sisco	Solon	Sommer
Spencer	Stream	Swearingen	Thomson	Torpey	Walker	Webber	White
Wieland	Wilson	Wood	Wright	Zerr	Mr Speaker		

## NOES: 28

Butler	Carpenter	Colona	Dunn	Ellington	Gatschenberger	Hodges	Hummel
Kelly 45	Kratky	Lafaver	Marshall	May	McCann Beatty	McDonald	McNeil
Meredith	Morgan	Newman	Nichols	Otto	Pace	Pogue	Rizzo
Schieber	Schupp	Smith	Walton Gray				

## PRESENT: 3

Gardner	Green	Peters
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## ABSENT: 5

Guernsey	Pierson	Pike	Scharnhorst	Swan
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## VACANCIES: 1

Roll Call for Section 2.120 of **CCS** for **SCS** for **HCS** for **HB 2002**, for Advanced Placement examination fees:

AYES: 126

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns	Butler	Cierpiot	Conway 104
Cox	Crawford	Cross	Curtman	Davis	Dohrman	Dugger	Ellington
Elmer	English	Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard	Hubrecht	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kirkton	Koenig	Kolkmeier	Korman
Lafaver	Lair	Lant	Lauer	Leara	Lichtenegger	Love	Lynch
Mayfield	McCaherty	McGaugh	McKenna	McManus	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross	Rowden	Rowland	Runions
Schatz	Schieffer	Shull	Shumake	Sisco	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey	Walker	Webber	White
Wieland	Wilson	Wood	Wright	Zerr	Mr Speaker		

NOES: 25

Carpenter	Colona	Dunn	Gatschenberger	Green	Hummel	Kratky	Marshall
May	McCann Beatty	McDonald	McNeil	Morgan	Newman	Nichols	Otto
Pace	Peters	Pierson	Pogue	Rizzo	Schieber	Schupp	Smith
Walton Gray							

PRESENT: 1

Gardner

ABSENT: 10

Conway 10	Cookson	Cornejo	Curtis	Diehl	Engler	Kelly 45	Norr
Pike	Scharnhorst						

VACANCIES: 1

Roll Call for Section 2.035 of **CCS** for **SCS** for **HCS** for **HB 2002**, for grants to establish safe schools programs:

AYES: 125

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross	Curtman	Davis	Dohrman
Dugger	Ellington	Elmer	Engler	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Frame	Franklin	Frederick	Funderburk	Gannon	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton	Hubbard	Hubrecht	Hurst

Johnson	Jones 50	Justus	Keeney	Kelley 127	Kirkton	Koenig	Kolkmeier
Korman	Lafaver	Lair	Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McCann Beatty	McGaugh	McKenna	McManus	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfausch	Phillips	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda	Ross	Rowden	Rowland
Runions	Schatz	Schieffer	Shull	Shumake	Sisco	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson	Torpey	Walker	White
Wieland	Wood	Wright	Zerr	Mr Speaker			

## NOES: 28

Butler	Carpenter	Colona	Curtis	Dunn	Gardner	Gatschenberger	Hodges
Hummel	Kratky	Marshall	May	McDonald	McNeil	Meredith	Morgan
Newman	Nichols	Norr	Otto	Pace	Pierson	Pogue	Rizzo
Schieber	Schupp	Smith	Walton Gray				

## PRESENT: 3

English	Green	Peters
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## ABSENT: 6

Diehl	Kelly 45	Pike	Scharnhorst	Webber	Wilson
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## VACANCIES: 1

Roll Call for Section 2.030 of **CCS** for **SCS** for **HCS** for **HB 2002**, for funding of the MO Scholars & Fine Arts Academies:

## AYES: 120

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Ellington	Elmer	Engler	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fraker	Frame	Franklin	Frederick	Funderburk	Gannon
Gosen	Grisamore	Guernsey	Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough	Houghton	Hubbard	Hubrecht
Johnson	Jones 50	Justus	Keeney	Kelley 127	Kelly 45	Kirkton	Kolkmeier
Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love	Lynch
Mayfield	McGaugh	McKenna	Messenger	Mims	Mitten	Montecillo	Moon
Morris	Muntzel	Neely	Neth	Parkinson	Pfausch	Phillips	Pierson
Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda
Rowden	Rowland	Runions	Schatz	Schieffer	Shull	Shumake	Sisco
Solon	Sommer	Spencer	Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webber	White	Wieland	Wilson	Wood	Wright	Zerr

## NOES: 35

Butler	Carpenter	Colona	Conway 10	Dunn	English	Green	Haahr
Hummel	Hurst	Koenig	Kratky	Marshall	May	McCaherty	McCann Beatty

McDonald	McManus	McNeil	Meredith	Miller	Molendorp	Morgan	Newman
Nichols	Norr	Otto	Pace	Pogue	Rizzo	Ross	Schieber
Schupp	Smith	Mr Speaker					

PRESENT: 3

Gardner	Peters	Walton Gray
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ABSENT: 4

Gatschenberger	Lafaver	Pike	Scharnhorst
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VACANCIES: 1

Roll Call for Section 2.021 of **CCS** for **SCS** for **HCS** for **HB 2002**, for math & science tutor programs in St. Louis City:

AYES: 124

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Burns	Butler	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Ellington	Elmer	Engler	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fraker	Franklin	Frederick	Funderburk	Gannon
Gosen	Grisamore	Guernsey	Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough	Houghton	Hubbard	Hubrecht
Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeier	Korman	Lafaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McCann Beatty	McGaugh	McKenna	Meredith	Messenger
Miller	Mitten	Molendorp	Montecillo	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross	Rowden	Rowland	Schatz
Shull	Shumake	Sisco	Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker				

NOES: 28

Anders	Carpenter	Colona	Dunn	English	Frame	Hodges	Marshall
May	Mayfield	McDonald	McManus	McNeil	Mims	Morgan	Newman
Nichols	Norr	Otto	Pace	Pogue	Rizzo	Runions	Schieber
Schieffer	Schupp	Smith	Walton Gray				

PRESENT: 3

Gardner	Green	Peters
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ABSENT: 7

Gatschenberger	Hummel	Kratky	McCaherty	Pierson	Pike	Scharnhorst
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VACANCIES: 1

Roll Call for Section 2.020 of **CCS** for **SCS** for **HCS** for **HB 2002**, for a program to recruit, train and/or develop teachers:

AYES: 109

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Brattin
Brown	Burlison	Cierpiot	Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Franklin	Frederick
Funderburk	Gannon	Gosen	Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins	Hough	Houghton	Hubbard
Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love
Lynch	McCaherty	McGaugh	Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfausch	Phillips	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake	Sisco	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker			

NOES: 50

Anders	Black	Burns	Butler	Carpenter	Colona	Conway 10	Dunn
Ellington	English	Englund	Frame	Gardner	Gatschenberger	Harris	Hodges
Hummel	Kelly 45	Kirkton	Kratky	Lafaver	Marshall	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr	Otto	Pace	Pierson
Pogue	Rizzo	Roorda	Runions	Schieffer	Schupp	Smith	Swearingen
Walton Gray	Webber						

PRESENT: 2

Green Peters

ABSENT: 1

Pike

VACANCIES: 1

Roll Call for Section 2.017 of **CCS** for **SCS** for **HCS** for **HB 2002**, for the Bright Futures Program:

AYES: 116

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Burns	Butler	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Davis	Diehl	Dohrman	Dugger
Ellington	Elmer	English	Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Gannon	Gosen	Grisamore	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney
Koenig	Kolkmeier	Korman	Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Mayfield	McCaherty	McGaugh	McKenna	Messenger	Miller

Molendorp	Montecillo	Moon	Morris	Muntzel	Neely	Neth	Norr
Parkinson	Pfautsch	Phillips	Pierson	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden	Rowland	Schatz	Schieffer
Shull	Shumake	Sisco	Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker				

NOES: 33

Anders	Carpenter	Colona	Conway 10	Dunn	Frame	Gatschenberger	Hodges
Hummel	Kelly 45	Kirkton	Kratky	Lafaver	Marshall	May	McCann Beatty
McDonald	McManus	McNeil	Meredith	Mims	Morgan	Newman	Nichols
Otto	Pace	Pogue	Rizzo	Runions	Schieber	Schupp	Smith
Walton Gray							

PRESENT: 3

Gardner	Green	Peters
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ABSENT: 10

Cierpiot	Curtman	Engler	Funderburk	Guernsey	Kelley 127	Mitten	Pike
Roorda	Scharnhorst						

VACANCIES: 1

Roll Call for Section 2.016 of **CCS** for **SCS** for **HCS** for **HB 2002**, for an intensive reading instruction program:

AYES: 131

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns	Butler	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellington	Elmer	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Franklin	Frederick	Gannon
Gosen	Grisamore	Haahr	Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough	Houghton	Hubbard	Hubrecht
Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Kirkton	Koenig
Kolkmeier	Korman	Lafaver	Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Mayfield	McCaherty	McCann Beatty	McGaugh	McKenna	McManus
Meredith	Messenger	Miller	Mims	Mitten	Molendorp	Montecillo	Moon
Morris	Muntzel	Neely	Neth	Parkinson	Pfautsch	Phillips	Pierson
Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowland	Runions	Schatz	Schieffer	Shull	Shumake	Sisco
Smith	Solon	Sommer	Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker					

NOES: 21

Colona	Conway 10	Frame	Gatschenberger	Green	Hummel	Kelly 45	Kratky
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Marshall	May	McDonald	McNeil	Morgan	Newman	Nichols	Norr
Otto	Pogue	Rizzo	Schieber	Schupp			

PRESENT: 3

Gardner	Pace	Peters
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ABSENT: 7

Carpenter	Engler	Funderburk	Guernsey	Pike	Rowden	Scharnhorst
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VACANCIES: 1

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate the House has passed Section 5.140 for one new staff in the Office of Child Advocate and Section 5.165 for alternative to abortion services of Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2005, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also, the attached are certified copies of the Roll Calls pertaining to the above named sections of the Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2005.

Roll Call for Section 5.140 of **CCS** for **SCS** for **HCS** for **HB 2005**, for one new staff in the Office of Child Advocate:

AYES: 131

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brown	Burlison	Burns	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fraker	Frame	Franklin	Frederick	Funderburk	Gannon
Gosen	Grisamore	Guernsey	Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins	Hough	Houghton	Hubbard
Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Kirkton
Koenig	Kolkmeyer	Korman	Lafaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Mayfield	McCaherty	McGaugh	McKenna	McManus
Meredith	Messenger	Miller	Mims	Mitten	Molendorp	Montecillo	Moon
Morris	Muntzel	Neely	Neth	Parkinson	Pfautsch	Phillips	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz	Schieffer	Schupp	Shull
Shumake	Sisco	Solon	Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker					

NOES: 29

Brattin	Butler	Carpenter	Colona	Dunn	Ellington	Gardner	Gatschenberger
Green	Hummel	Kelly 45	Kratky	Marshall	May	McCann Beatty	McDonald

McNeil	Morgan	Newman	Nichols	Norr	Otto	Pace	Peters
Pierson	Pogue	Rizzo	Schieber	Walton Gray			

PRESENT: 0

ABSENT: 2

Pike	Smith
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VACANCIES: 1

Roll Call for Section 5.165 of **CCS** for **SCS** for **HCS** for **HB 2005**, for alternative to abortion services:

AYES: 120

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	English	Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fraker	Frame	Franklin	Frederick	Funderburk	Gannon	Gosen	Grisamore
Haahr	Haefner	Hampton	Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubrecht	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch	Mayfield	McCaherty	McGaugh
McKenna	McManus	Messenger	Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber	Schieffer	Shull	Shumake
Sisco	Solon	Sommer	Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 36

Anders	Burns	Butler	Carpenter	Colona	Curtis	Dunn	Ellington
Gardner	Green	Hubbard	Hummel	Kelly 45	Lafaver	Marshall	May
McCann Beatty	McDonald	McNeil	Meredith	Mims	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters	Pierson	Rizzo	Schupp
Smith	Swearingen	Walton Gray	Webber				

PRESENT: 0

ABSENT: 6

Gatschenberger	Guernsey	Hodges	Kratky	Mitten	Pike
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VACANCIES: 1

Senator Schaefer moved that Section 11.100 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011** for Mo Mentoring Partnership, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:



## YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Keaveny—1

Absent—Senator Justus—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 11.152 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for GR transfer to the Utilicare Stabilization Fund, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

## YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 11.153 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for Utilicare Program Spending Authority (NC), be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

## YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 11.157 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for Sexual Assault Victim Services, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 11.220 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for Foster Kids Health Record System, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 11.223 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for Social Innovation Grants, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 11.225 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for Foster Parent Training, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Keaveny—1

Absent—Senator Nasheed—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 11.285 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for Hand Up Pilot Child Care Program, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 11.440 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for Medication Therapy Services & Medication Synchronization, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 11.465 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for Rural Health Clinic Dental, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 11.490 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for Community Health Access Programs (CHAPs), be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Keaveny—1

Absent—Senator Justus —1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 11.527 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for Foster Kids Medical/Behavioral Health Homes, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Kehoe
Kraus	Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senator Keaveny—1

Absent—Senators

Justus                      LeVota—2

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 11.528 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for Asthma Services, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Kehoe
Kraus	Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senator Keaveny—1

Absent—Senators

Justus                      LeVota—2

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 11.529 of **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, for Regional Care Coordination, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 12.400 of **CCS** for **SCS** for **HCS** for **HB 2012**, for Public Defender Caseload Relief, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kraus	Lager	LeVota	Libla	Munzlinger	Nasheed	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey
Wallingford	Walsh	Wasson—27					

NAYS—Senators—None

Absent—Senators

Keaveny	Kehoe	Lamping	Nieves—4
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Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 2.016 of **CCS** for **SCS** for **HCS** for **HB 2002**, for reading instruction, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kraus	Lager	LeVota	Libla	Munzlinger	Nasheed	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey
Wallingford	Walsh	Wasson—27					

NAYS—Senators—None

Absent—Senators

Keaveny	Kehoe	Lamping	Nieves—4
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Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Pearce assumed the Chair.

Senator Schaefer moved that Section 2.017 of **CCS** for **SCS** for **HCS** for **HB 2002**, for Bright Futures, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

## YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Keaveny—1

Absent—Senator Nieves—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 2.020 of **CCS** for **SCS** for **HCS** for **HB 2002**, for Teach for America, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

## YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey
Wallingford	Walsh	Wasson—27					

NAYS—Senator Keaveny—1

Absent—Senators

Holsman	Justus	Nieves—3
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Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 2.021 of **CCS** for **SCS** for **HCS** for **HB 2002**, for Math & Science Tutoring, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

## YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators—None

Absent—Senators

Keaveny            Nieves—2

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Kehoe assumed the Chair.

Senator Schaefer moved that Section 2.030 of **CCS** for **SCS** for **HCS** for **HB 2002**, for Scholars & Fine Arts Academies (NC), be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Keaveny—1

Absent—Senator Nieves—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 2.035 of **CCS** for **SCS** for **HCS** for **HB 2002**, for School Safety Training Grants (MSBA), be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Keaveny—1

Absent—Senator Nieves—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 2.120 of **CCS** for **SCS** for **HCS** for **HB 2002**, for AP/Dual Credit for Low-Income Students, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:



## YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Keaveny—1

Absent—Senator Nieves—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 2.170 of **CCS** for **SCS** for **HCS** for **HB 2002**, for Independent Living Centers, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

## YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Keaveny—1

Absent—Senator Nieves—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 2.205 of **CCS** for **SCS** for **HCS** for **HB 2002**, for Sheltered Workshops, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

## YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Keaveny—1

Absent—Senator Nieves—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 2.240 of **CCS** for **SCS** for **HCS** for **HB 2002**, for Commission for the Deaf & Hard of Hearing, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Keaveny—1

Absent—Senator Nieves—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 2.255 of **CCS** for **SCS** for **HCS** for **HB 2002**, for GR Transfer to SSMF, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Keaveny—1

Absent—Senator Nieves—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

## VETOED BILLS

**CCS No. 2** for **HCS** for **SB 693** was called thereafter and no motion was taken thereon.

Senator Pearce moved that **CCS** for **HCS** for **SCS** for **SBs 493, 485, 495, 516, 534, 545, 595, 616 and 624** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—24

## NAYS—Senators

Curls                      Holsman                      Justus                      Keaveny                      LeVota                      Walsh—6

Absent—Senator Nieves—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Justus moved that **HCS** for **SB 727** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

## YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Kehoe
Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaefer	Schmitt	Sifton	Silvey
Wallingford	Walsh	Wasson—27					

## NAYS—Senators

Justus                      Kraus                      Schaaf—3

Absent—Senator Keaveny—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Nasheed moved that **SCS** for **SB 731** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

## YEAS—Senators

Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Kehoe	Lager
Lamping	LeVota	Libla	Munzlinger	Nasheed	Parson	Pearce	Richard
Romine	Sater	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh
Wasson—25							

## NAYS—Senators

Brown                      Kraus                      Schaaf—3

## Absent—Senators

Justus                      Keaveny                      Nieves—3

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

**HCS** for **SB 508** was called thereafter and no motion was taken thereon.

**HCS** for **SS** for **SB 575** was called thereafter and no motion was taken thereon.

**CCS** for **SCS** for **SB 612** was called thereafter and no motion was taken thereon.

**CCS** for **HCS** for **SB 615** was called thereafter and no motion was taken thereon.

**SCS** for **SB 675** was called thereafter and no motion was taken thereon.

**HCS** for **SS** for **SB 694** was called thereafter and no motion was taken thereon.

Senator Schaefer moved that Section 5.140 of **CCS** for **SCS** for **HCS** for **HB 2005**, for Office of Child Advocate, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Keaveny—1

Absent—Senator Nieves—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaefer moved that Section 5.165 of **CCS** for **SCS** for **HCS** for **HB 2005**, for Alternatives to Abortion Services, be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senator Justus—1

Absent—Senators

Keaveny      Nieves—2

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

## MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed Senate Committee Substitute for House Bill 1132, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: The attached is a certified copy of the Roll Call on Senate Committee Substitute for House Bill 1132.

AYES: 123

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Funderburk	Gannon	Gosen	Grisamore
Haahr	Haefner	Hampton	Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubrecht	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier	Korman	Kratky	Lair
Lant	Lauer	Leara	Lichtenegger	Love	Lynch	Marshall	Mayfield
McCaherty	McGaugh	McKenna	McManus	Messenger	Miller	Molendorp	Montecillo
Moon	Morris	Muntzel	Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Roorda	Ross	Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Sisco	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker					

NOES: 37

Anders	Burns	Butler	Carpenter	Colona	Dunn	Ellington	Frame
Gardner	Gatschenberger	Green	Hubbard	Hummel	Kelly 45	Kirkton	Lafaver
May	McCann Beatty	McDonald	McNeil	Meredith	Mims	Mitten	Morgan
Newman	Nichols	Norr	Otto	Pace	Peters	Pierson	Rizzo
Shupp	Swearingen	Walton Gray	Webber	Wright			

PRESENT: 0

ABSENT: 2

Guernsey	Smith
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VACANCIES: 1

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed Senate Committee Substitute for House Committee Substitute for House Bills 1307 & 1313, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: The attached is a certified copy of the Roll Call on Senate Committee Substitute for House Committee Substitute for House Bills 1307 & 1313.

AYES: 117

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	English	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Funderburk	Gannon	Gosen	Green	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubrecht	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall	McCaherty	McGaugh	McKenna
Messenger	Miller	Moon	Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Shull	Shumake	Sisco	Solon
Sommer	Spencer	Stream	Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker			

NOES: 44

Anders	Burns	Butler	Carpenter	Colona	Curtis	Dunn	Ellington
Englund	Frame	Gardner	Gatschenberger	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	Lafaver	May	Mayfield	McCann Beatty	McDonald	McManus
McNeil	Meredith	Mims	Mitten	Molendorp	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters	Pierson	Rizzo	Schupp
Swearingen	Walton Gray	Webber	Wright				

PRESENT: 0

ABSENT: 1

Smith

VACANCIES: 1

Senator Romine moved that **SCS** for **HB 1132** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey
Wallingford	Walsh	Wasson—27					

NAYS—Senators

Justus                      Keaveny—2

Absent—Senators

Holsman                  Nieves—2

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

Senator Schaaf assumed the Chair.

President Pro Tem Dempsey assumed the Chair.

Senator Sater moved that **SCS** for **HCS** for **HBs 1307** and **1313** be passed, the objections of the Governor thereto notwithstanding.

A quorum was established by the following vote:

Present—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

Absent—Senators

Munzlinger              Nasheed—2

Absent with leave—Senators

Chappelle-Nadal      Keaveny—2

Vacancies—2

Senator Sater submitted the following:

Motion for Previous Question - Pursuant to Rule 84 of the Missouri Senate:

**Shall the Main question be now put?**

Signed:

/s/ Tom Dempsey

/s/ David Sater

/s/ Ron Richard

/s/ Brian Nieves

/s/ Brad Lager

/s/ David Pearce

/s/ Gary Romine

/s/ Mike Cunningham

/s/ Jay Wasson

/s/ Ed Emery

/s/ Will Kraus

/s/ Brian Munzlinger

/s/ Mike Kehoe

/s/ Kurt Schaefer

/s/ Dan W. Brown

/s/ Mike Parson

/s/ John Lamping

/s/ Eric Schmitt

/s/ Doug Libla

/s/ Ryan Silvey

/s/ Wayne Wallingford

The motion to move the previous question was adopted by the following vote:

## YEAS—Senators

Brown	Cunningham	Dempsey	Emery	Kehoe	Kraus	Lager	Lamping
Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaefer	Schmitt	Silvey	Wallingford	Wasson—21			

## NAYS—Senators

Curls	Dixon	Holsman	Justus	LeVota	Nasheed	Schaaf	Sifton
Walsh—9							

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal    Keaveny—2

Vacancies—2

**SCS for HCS for HBs 1307 and 1313** passed, the objections of the Governor thereto notwithstanding, by the following vote:

## YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

## NAYS—Senators

Curls	Holsman	Justus	LeVota	Nasheed	Sifton	Walsh—7
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Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal    Keaveny—2

Vacancies—2

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:  
Mr. President:

I am instructed by the House of Representatives to inform the Senate the House has passed Section 7.015



for an international trade and investment office in Israel; Section 7.115 for funding new and expanding industry training programs and basic industry retraining programs and Section 7.120 for transfer to the Missouri Works Job Development Fund to Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2007, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also, the attached are certified copies of the Roll Calls pertaining to the above named sections of the Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill 2007.

Roll Call for Section 7.015 of **CCS** for **SCS** for **HCS** for **HB 2007**, for an international trade and investment office in Israel:

AYES: 113

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Englund	Entlicher	Fitzpatrick	Flanigan	Fraker	Franklin	Frederick
Funderburk	Gannon	Gosen	Grisamore	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges	Hoskins	Hough	Houghton
Hubrecht	Johnson	Jones 50	Justus	Keeney	Kelley 127	Kelly 45	Kolkmeier
Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McGaugh	McManus	Messenger	Miller	Mitten	Molendorp	Montecillo
Moon	Morris	Muntzel	Neely	Neth	Pfautsch	Phillips	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieffer	Schupp	Shull	Shumake
Sisco	Solon	Sommer	Spencer	Stream	Swan	Thomson	Torpey
Walker	Webber	White	Wieland	Wilson	Wood	Wright	Zerr

Mr Speaker

NOES: 44

Anders	Burns	Butler	Carpenter	Colona	Conway 10	Curtman	Dunn
Ellington	English	Frame	Gardner	Hubbard	Hummel	Hurst	Kirkton
Koenig	Kratky	Lafaver	Marshall	May	Mayfield	McCann Beatty	McDonald
McKenna	McNeil	Meredith	Mims	Morgan	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pierson	Pogue	Rizzo	Runions
Schieber	Smith	Swearingen	Walton Gray				

PRESENT: 1

Green

ABSENT: 4

Fitzwater	Gatschenberger	Guernsey	Pike
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VACANCIES: 1

Roll Call for Section 7.115 of **CCS** for **SCS** for **HCS** for **HB 2007**, for funding industry training & retraining programs:

AYES: 116

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Butler	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Frame	Franklin	Frederick	Funderburk	Gannon	Gosen
Grisamore	Haahr	Haefner	Hampton	Hansen	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard	Hubrecht	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kirkton	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love	Lynch	Mayfield	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon	Morris	Muntzel	Neely
Neth	Norr	Parkinson	Pfausch	Phillips	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda	Ross	Rowden	Rowland
Scharnhorst	Schatz	Shull	Shumake	Sisco	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker				

NOES: 40

Burns	Carpenter	Colona	Conway 10	Curtman	Dunn	Ellington	Gardner
Gatschenberger	Green	Harris	Hummel	Koenig	Kratky	Lafaver	Marshall
May	McCann Beatty	McDonald	McKenna	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Otto	Pace	Pierson	Pogue
Rizzo	Runions	Schieber	Schieffer	Schupp	Smith	Swearingen	Walton Gray

PRESENT: 1

Peters

ABSENT: 5

Guernsey	Kelly 45	McManus	Pike	Webber
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VACANCIES: 1

Roll Call for Section 7.120 of **CCS** for **SCS** for **HCS** for **HB 2007**, for transfer to the MO Works Job Development Fund:

AYES: 114

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Burlison	Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kirkton	Kolkmeier	Korman	Lair	Lant	Lauer	Leara

Lichtenegger	Love	Lynch	Mayfield	McCaherty	McGaugh	McKenna	Messenger
Miller	Moon	Morris	Muntzel	Neely	Neth	Parkinson	Pfausch
Phillips	Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle
Roorda	Ross	Rowden	Rowland	Scharnhorst	Schatz	Schieffer	Shull
Shumake	Sisco	Solon	Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker						

NOES: 42

Burns	Butler	Carpenter	Colona	Conway 10	Curtman	Dunn	Ellington
English	Gardner	Gatschenberger	Green	Hodges	Hubbard	Hummel	Kelly 45
Koenig	Kratky	Lafaver	Marshall	May	McCann Beatty	McDonald	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Pogue	Rizzo	Runions	Schieber
Schupp	Walton Gray						

PRESENT: 0

ABSENT: 6

Brown	McManus	Molendorp	Pike Smith	Webber
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VACANCIES: 1

Also,

Mr. President:

I am instructed by the House of Representatives to inform the Senate the House has passed Section 3.260 for the Missouri Telehealth Network for the purpose of creating and implementing four (4) Extension for Community Healthcare Outcomes Programs; Section 3.261 for a program designed to increase international collaboration and economic opportunity located at the University of Missouri-St. Louis; and Section 3.265 for the Missouri Rehabilitation Center; Section 3.266 for the Centers for Neighborhood Initiative located at the University of Missouri-Kansas City; Section 3.210 for the University of Central Missouri for the Science, Technology, Engineering and Mathematics Initiative to Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2003, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also, the attached are certified copies of the Roll Calls pertaining to the above named sections of the Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill 2003.

Roll Call for Section 3.260 of **CCS** for **SCS** for **HCS** for **HB 2003**, for the Missouri Telehealth Network:

AYES: 122

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Burns	Cierpiot	Conway 104	Cookson	Cornejo

Cox	Crawford	Cross	Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Englund	Entlicher	Fitzwater	Flanigan	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hubrecht	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love	Lynch	Mayfield	McCaherty
McGaugh	McKenna	Messenger	Miller	Mitten	Molendorp	Montecillo	Moon
Morris	Muntzel	Neely	Neth	Norr	Parkinson	Pfautsch	Phillips
Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Scharnhorst	Schatz	Schieffer	Shull	Shumake
Sisco	Solon	Sommer	Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webber	White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker						

NOES: 35

Anders	Butler	Colona	Conway 10	Curtis	Dunn	Ellington	English
Gardner	Gatschenberger	Hodges	Hummel	Kratky	Lafaver	Marshall	May
McCann Beatty	McDonald	McManus	McNeil	Meredith	Mims	Morgan	Newman
Nichols	Otto	Pace	Peters	Pierson	Pogue	Rizzo	Runions
Schieber	Schupp	Walton Gray					

PRESENT: 0

ABSENT: 5

Carpenter	Fitzpatrick	Green	Pike	Smith
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VACANCIES: 1

Roll Call for Section 3.261 of **CCS** for **SCS** for **HCS** for **HB 2003**, for an international economic program at UM-St. Louis:

AYES: 122

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Burns	Butler	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Elmer	Engler	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Frame	Franklin	Frederick	Funderburk	Gannon	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton	Hubbard	Hubrecht	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McGaugh	McKenna	Messenger	Miller	Molendorp	Montecillo	Moon
Morris	Muntzel	Neely	Neth	Pace	Parkinson	Pfautsch	Phillips
Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Scharnhorst	Schatz	Schieffer	Schupp	Shull
Shumake	Sisco	Solon	Sommer	Spencer	Stream	Swan	Swearingen

Thomson	Torpey	Walker	White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker						

NOES: 30

Anders	Colona	Dunn	Ellington	English	Gatschenberger	Hodges	Hummel
Hurst	Kratky	Lafaver	Marshall	May	Mayfield	McCann Beatty	McDonald
McNeil	Meredith	Mims	Morgan	Newman	Nichols	Norr	Otto
Pierson	Pogue	Rizzo	Runions	Schieber	Walton Gray		

PRESENT: 2

Gardner	Peters
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ABSENT: 8

Carpenter	Dugger	Green	McManus	Mitten	Pike	Smith	Webber
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VACANCIES: 1

Roll Call for Section 3.265 of **CCS** for **SCS** for **HCS** for **HB 2003**, for the Missouri Rehabilitation Center:

AYES: 130

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gosen	Grisamore	Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins	Hough	Houghton	Hubbard
Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Kirkton
Koenig	Kolkmeier	Korman	Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Mayfield	McCaherty	McGaugh	McKenna	Meredith	Messenger
Miller	Mitten	Molendorp	Montecillo	Moon	Morris	Muntzel	Neely
Neth	Nichols	Norr	Pace	Parkinson	Pfautsch	Phillips	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz	Schieffer	Shull	Shumake
Sisco	Solon	Sommer	Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webber	White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker						

NOES: 25

Butler	Carpenter	Colona	Dunn	Ellington	Gatschenberger	Green	Hodges
Hummel	Kratky	Lafaver	Marshall	May	McCann Beatty	McDonald	McManus
Mims	Morgan	Newman	Otto	Pierson	Pogue	Rizzo	Schieber
Schupp							

PRESENT: 4

Gardner	McNeil	Peters	Walton Gray
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## ABSENT: 3

Kelly 45            Pike                    Smith

## VACANCIES: 1

Roll Call for Section 3.266 of **CCS** for **SCS** for **HCS** for **HB 2003**, for the Centers for Neighborhood Initiative, **UMKC**:

## AYES: 119

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns	Butler	Cierpiot	Conway 104
Cookson	Cox	Crawford	Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dunn	Engler	Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Funderburk	Gannon	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hansen	Harris	Hicks	Higdon	Hodges	Hoskins
Houghton	Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Koenig	Kolkmeyer	Korman	Lafaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Mayfield	McCaherty	McCann Beatty	McGaugh	McKenna
McManus	Messenger	Miller	Mims	Molendorp	Montecillo	Moon	Morris
Muntzel	Neely	Norr	Parkinson	Pfausch	Phillips	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda	Ross	Rowland
Runions	Scharnhorst	Schatz	Shull	Shumake	Sisco	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson	Torpey	Walker	Webber
White	Wieland	Wilson	Wood	Wright	Zerr	Mr Speaker	

## NOES: 30

Carpenter	Colona	Conway 10	Dugger	English	Frame	Gatschenberger	Hubbard
Hubrecht	Hummel	Kirkton	Kratky	Marshall	McDonald	McNeil	Meredith
Mitten	Morgan	Newman	Nichols	Otto	Pace	Peters	Pierson
Pogue	Rizzo	Schieber	Schieffer	Schupp	Walton Gray		

## PRESENT: 2

Gardner            Green

## ABSENT: 11

Cornejo	Ellington	Elmer	Haahr	Hinson	Hough	May	Neth
Pike	Rowden	Smith					

## VACANCIES: 1

Roll Call for Section 3.210 of **CCS** for **SCS** for **HCS** for **HB 2003**, for the UCM STEM Initiative:

## AYES: 120

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Elmer	Engler	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Gannon	Gosen	Grisamore	Guernsey

Haahr	Haefner	Hampton	Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard	Hubrecht	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45	Koenig	Kolkmeier	Korman
Lair	Lant	Lauer	Leara	Lichtenegger	Love	Lynch	Mayfield
McCaherty	McCann Beatty	McGaugh	McKenna	McManus	Messenger	Miller	Molendorp
Montecillo	Moon	Morris	Muntzel	Neely	Parkinson	Pfausch	Phillips
Redmon	Rehder	Reiboldt	Remole	Rhoads	Riddle	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Shull	Shumake	Sisco	Solon
Sommer	Spencer	Stream	Swan	Swearingen	Thomson	Torpey	Walker
Webber	White	Wieland	Wilson	Wood	Wright	Zerr	Mr Speaker

## NOES: 37

Burns	Butler	Carpenter	Colona	Conway 10	Ellington	English	Frame
Gardner	Gatschenberger	Green	Hummel	Kirkton	Kratky	Lafaver	Marshall
May	McDonald	McNeil	Meredith	Mims	Mitten	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters	Pierson	Pogue	Rizzo
Roorda	Schieber	Schieffer	Schupp	Walton Gray			

## PRESENT: 0

## ABSENT: 5

Funderburk	Neth	Pike	Richardson	Smith
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## VACANCIES: 1

Also,

Mr. President:

I am instructed by the House of Representatives to inform the Senate that the House has passed House Committee Substitute for House Bill 1261, the objections of the Governor thereto notwithstanding.

In which concurrence of the Senate is respectfully requested.

Also,

Mr. President: The attached is a certified copy of the Roll Call on House Committee Substitute for House Bill 1261.

## AYES: 114

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Brattin
Brown	Burlison	Butler	Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Funderburk	Gannon	Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson	Hoskins	Hough	Houghton
Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger	Miller	Molendorp	Montecillo

Moon	Morris	Muntzel	Neely	Neth	Parkinson	Pfausch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Sisco	Solon	Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	Webber	White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker						

NOES: 46

Anders	Black	Burns	Carpenter	Colona	Conway 10	Curtis	Dunn
Ellington	English	Frame	Gardner	Green	Harris	Hodges	Hubbard
Hummel	Kelly 45	Kirkton	Kratky	Lafaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith	Mims	Mitten	Morgan
Newman	Nichols	Norr	Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Swearingen	Walton Gray		

PRESENT: 0

ABSENT: 2

Gatschenberger Smith

VACANCIES: 1

Also,

Mr. President:

I am instructed by the House of Representatives to inform the Senate that the House has passed House Bill 1359, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: The attached is a certified copy of the Roll Call on House Bill 1359.

AYES: 120

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Burns	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Funderburk	Gannon	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hubrecht	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeier	Korman	Kratky	Lair
Lant	Lauer	Leara	Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Mitten	Molendorp	Montecillo	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfausch	Phillips	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Schieffer	Shull	Shumake	Sisco
Solon	Sommer	Spencer	Stream	Swan	Thomson	Torpey	Walker



Webber	White	Wieland	Wilson	Wood	Wright	Zerr	Mr Speaker
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## NOES: 39

Anders	Butler	Carpenter	Colona	Curtis	Dunn	Ellington	English
Frame	Gardner	Green	Harris	Hodges	Hummel	Kelly 45	Lafaver
May	Mayfield	McCann Beatty	McDonald	McKenna	McManus	McNeil	Meredith
Mims	Morgan	Newman	Nichols	Norr	Otto	Pace	Pierson
Pogue	Rizzo	Roorda	Runions	Schupp	Swearingen	Walton Gray	

## PRESENT: 1

Peters

## ABSENT: 2

Gatschenberger Smith

## VACANCIES: 1

**COMMUNICATIONS**

Senator Kraus submitted the following:

September 8, 2014

Terry Spieler  
 Secretary of the Senate  
 Room 325, State Capitol  
 Jefferson City, MO 65101

Dear Secretary Spieler,

Pursuant to Senate Rule 76, I am writing to inform you of a temporary physical disability which may not allow me to stand for long periods of time. While I will be able to stand for motions and short inquiries, I may need to invoke Rule 76 and be recognized while sitting during longer inquiries.

Sincerely,



Will Kraus  
 Senator, District 8

Senator Chappelle-Nadal submitted the following:

September 10, 2014

Dear Secretary Spieler,

I hereby authorize Minority Floor Leader Senator Jolie Justus to make any pertinent motions regarding the override of HCS/SB 727 in my absence.

Thank you for your prompt attention to this matter.

Sincerely,



Maria Chappelle-Nadal

Senator Justus submitted the following:

September 8, 2014

Terry Spieler – Secretary of the Senate  
State Capitol, Room 325  
Jefferson City, Missouri 65101

**Re: Joint Committee on Child Abuse and Neglect**

Dear Terry:

Please consider this correspondence to be my resignation from the Joint Committee on Child Abuse and Neglect. Pursuant to the authority provided me by section 21.771 RSMo, please also consider this correspondence to be my appointment of Senator Maria Chappelle-Nadal to fill the vacancy created by my resignation.

Very Best Regards,



Jolie L. Justus

The Senate observed a moment of silence in remembrance of the victims of September 11, 2001.  
Senator Kehoe assumed the Chair.

### **RESOLUTIONS**

Senator Richard offered the following resolution, which was read and adopted:

#### **SENATE RESOLUTION NO. 6**

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate, having been duly convened as provided by Article III, Section 32 of the Constitution, made no motion to override the Governor's veto of House Committee Substitute for Senate Bill No. 508; House Committee Substitute for Senate Substitute for Senate Bill No. 575; Conference Committee Substitute for House Committee Substitute for Senate Bill No. 584; Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 612; Conference Committee Substitute for House Committee Substitute for Senate Bill No. 615; Senate Committee Substitute for Senate Bill No. 675; Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 693; and House Committee Substitute for Senate Substitute for Senate Bill No. 694 when the bills were so called by the President.

On motion of Senator Richard, the Senate adjourned under the rules.

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# Journal of the Senate

SECOND REGULAR SESSION

VETO SESSION

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SECOND DAY—THURSDAY, SEPTEMBER 11, 2014

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The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

## MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President:

I am instructed by the House of Representatives to inform the Senate that the House has passed Senate Bill 523, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: The attached is a certified copy of the Roll Call on Senate Bill 523.

AYES: 109

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Brattin
Brown	Burlison	Cierpiot	Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Franklin	Frederick
Funderburk	Gannon	Gosen	Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hoskins	Houghton	Hubrecht	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfausch	Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull	Shumake	Sisco	Solon
Sommer	Spencer	Stream	Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker			

## NOES: 51

Anders	Black	Burns	Butler	Carpenter	Colona	Conway 10	Dunn
English	Englund	Frame	Gardner	Gatschenberger	Green	Harris	Hinson
Hodges	Hough	Hubbard	Hummel	Kelly 45	Kirkton	Kratky	Lafaver
May	Mayfield	McCann Beatty	McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Runions	Schieffer	Schupp	Swearingen
Walton Gray	Webber	Wright					

## PRESENT: 1

Ellington

## ABSENT: 1

Smith

## VACANCIES: 1

Also,

Mr. President:

I am instructed by the House of Representatives to inform the Senate that the House has passed Senate Substitute for Senate Committee Substitute for Senate Bill 841, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: The attached is a certified copy of the Roll Call on Senate Substitute for Senate Committee Substitute for Senate Bill 841.

## AYES: 125

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman	Davis	Diehl	Dohrman
Dugger	Ellington	Elmer	Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fraker	Frame	Franklin	Funderburk	Gannon	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton	Hubbard	Hubrecht	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127	Koenig	Kolkmeier	Korman
Kratky	Lafaver	Lair	Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McGaugh	McKenna	Messenger	Miller	Mims
Molendorp	Montecillo	Moon	Morris	Muntzel	Neely	Neth	Parkinson
Peters	Pfautsch	Phillips	Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieffer	Shull	Shumake	Sisco	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey	Walker	Webber	White
Wieland	Wilson	Wood	Zerr	Mr Speaker			

NOES: 33

Burns	Butler	Carpenter	Colona	Conway 10	Dunn	Frederick	Gardner
Green	Hodges	Hummel	Kirkton	Marshall	May	McCann Beatty	McDonald
McManus	McNeil	Meredith	Mitten	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Runions	Schieber	Schupp	Swearingen	Walton Gray
Wright							

PRESENT: 0

ABSENT: 4

Gatschenberger	Kelly 45	Rizzo	Smith
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VACANCIES: 1

Also,

Mr. President:

I am instructed by the House of Representatives to inform the Senate that the House has passed Senate Committee Substitute for Senate Bill 829, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: The attached is a certified copy of the Roll Call on Senate Committee Substitute for Senate Bill 829.

AYES: 113

Allen	Anderson	Austin	Bahr	Bernskoetter	Berry	Brattin	Brown
Burlison	Cierpiot	Conway 104	Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger	Elmer	Engler	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson	Hoskins	Hough	Houghton
Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth	Parkinson	Pfausch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Roorda	Ross	Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Sisco	Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland	Wilson	Wood	Zerr

Mr Speaker

NOES: 48

Anders	Barnes	Black	Burns	Butler	Carpenter	Colona	Conway 10
Curtis	Dunn	Ellington	English	Gardner	Green	Harris	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky	Lafaver	May	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith	Mims	Mitten	Montecillo

Morgan	Newman	Nichols	Norr	Otto	Pace	Peters	Pierson
Rizzo	Runions	Schieffer	Schupp	Swearingen	Walton Gray	Webber	Wright

PRESENT: 0

ABSENT: 1

Smith

VACANCIES: 1

Also,

Mr. President:

I am instructed by the House of Representatives to inform the Senate that the House has passed Conference Committee Substitute for House Committee Substitute for Senate Bill 656, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: The attached is a certified copy of the Roll Call on Conference Committee Substitute for House Committee Substitute for Senate Bill 656.

AYES: 117

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubrecht	Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	Mayfield	McCaherty	McGaugh	McKenna	Messenger
Miller	Molendorp	Moon	Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Schieffer	Shull	Shumake	Sisco	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker			

NOES: 39

Anders	Burns	Butler	Carpenter	Colona	Conway 10	Curtis	Ellington
English	Englund	Gardner	Green	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	Lafaver	May	McCann Beatty	McManus	McNeil	Meredith
Mims	Montecillo	Morgan	Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Runions	Schupp	Walton Gray	Wright	

PRESENT: 0

ABSENT: 6

Dunn            Gatschenberger    McDonald       Mitten           Smith            Webber

VACANCIES: 1

Also,

Mr. President:

I am instructed by the House of Representatives to inform the Senate that the House has passed Senate Substitute for Senate Committee Substitute for Senate Bill 593, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: The attached is a certified copy of the Roll Call on Senate Substitute for Senate Committee Substitute for Senate Bill 593.

AYES: 109

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Brattin
Brown	Burlison	Cierpiot	Conway 10	Conway 104	Cookson	Cornejo	Crawford
Cross	Curtman	Davis	Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Fraker	Franklin	Frederick	Funderburk	Gannon
Gosen	Grisamore	Guernsey	Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton	Hubrecht	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love	Lynch	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Schieffer	Shull	Shumake	Sisco	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker			

NOES: 48

Anders	Black	Burns	Butler	Carpenter	Colona	Cox	Curtis
Ellington	English	Englund	Flanigan	Frame	Gardner	Green	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton	Kratky	Lafaver	Marshall
May	Mayfield	McCann Beatty	McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman	Nichols	Norr	Otto
Pace	Pierson	Pogue	Rizzo	Runions	Schupp	Walton Gray	Wright

PRESENT: 1

Peters

ABSENT: 4

Dunn            Gatschenberger    Smith            Webber

VACANCIES: 1

Also,

Mr. President:

I am instructed by the House of Representatives to inform the Senate that the House has passed Senate Substitute for Senate Bill 866, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: The attached is a certified copy of the Roll Call on Senate Substitute for Senate Bill 866.

AYES: 113

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Cierpiot	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman	Dugger	Elmer	Engler
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hubrecht	Johnson	Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love
Lynch	May	Mayfield	McCaherty	McGaugh	Messenger	Miller	Mims
Molendorp	Morris	Muntzel	Neely	Neth	Nichols	Parkinson	Peters
Pfausch	Phillips	Pierson	Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross	Rowden	Rowland	Scharnhorst
Schatz	Shull	Shumake	Sisco	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Walker	Webber	White	Wieland	Wilson	Wood

Mr Speaker

NOES: 46

Anders	Burns	Butler	Carpenter	Colona	Conway 10	Curtis	Ellington
English	Frame	Gardner	Green	Harris	Hodges	Hummel	Hurst
Kelly 45	Kirkton	Kratky	Lafaver	Marshall	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mitten	Montecillo	Moon	Morgan	Newman
Norr	Otto	Pace	Pogue	Rizzo	Runions	Schieber	Schieffer
Schupp	Solon	Torpey	Walton Gray	Wright	Zerr		

PRESENT: 0

ABSENT: 3

Conway 104	Dunn	Smith
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VACANCIES: 1

Also,

Mr. President:

I am instructed by the House of Representatives to inform the Senate that the House has passed House Committee Substitute for Senate Bill 727, the objections of the Governor thereto notwithstanding.



Also,

Mr. President: The attached is a certified copy of the Roll Call on House Committee Substitute for Senate Bill 727.

AYES: 110

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Brattin
Brown	Cierpiot	Conway 104	Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger	Ellington	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Franklin	Frederick	Funderburk
Gosen	Grisamore	Guernsey	Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough	Houghton	Hubbard	Hubrecht
Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McGaugh	McKenna	Miller	Mims	Molendorp	Muntzel	Neely
Neth	Parkinson	Pfausch	Phillips	Pierson	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieffer	Shull	Shumake	Sisco	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey	Walker	Webber	White
Wieland	Wilson	Wood	Wright	Zerr	Mr Speaker		

NOES: 48

Anders	Black	Burlison	Burns	Butler	Carpenter	Colona	Conway 10
Curtis	Englund	Frame	Gannon	Gardner	Green	Hodges	Hummel
Kelly 45	Kirkton	Kratky	Lafaver	Marshall	May	Mayfield	McCann Beatty
McDonald	McManus	McNeil	Meredith	Messenger	Mitten	Montecillo	Moon
Morgan	Morris	Newman	Nichols	Norr	Otto	Pace	Peters
Pogue	Rizzo	Roorda	Runions	Schieber	Schupp	Swearingen	Walton Gray

PRESENT: 0

ABSENT: 4

Dunn	English	Gatschenberger	Smith
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VACANCIES: 1

Also,

Mr. President:

I am instructed by the House of Representatives to inform the Senate that the House has passed Senate Committee Substitute for Senate Bill 731, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: The attached is a certified copy of the Roll Call on Senate Committee Substitute for Senate Bill 731.

## AYES: 111

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brown	Cierpiot	Colona	Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Curtman	Davis	Diehl	Dohrman	Dugger	Ellington	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame	Franklin
Funderburk	Gannon	Gosen	Grisamore	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins	Hough	Houghton	Hubbard
Hubrecht	Jones 50	Justus	Kelley 127	Koenig	Kolkmeier	Korman	Kratky
Lafaver	Lair	Lant	Lauer	Leara	Lichtenegger	Love	Lynch
May	Mayfield	McCaherty	McGaugh	McKenna	Messenger	Miller	Molendorp
Morris	Muntzel	Neely	Neth	Parkinson	Peters	Pfautsch	Phillips
Pike	Redmon	Reiboldt	Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Scharnhorst	Schatz	Schieffer	Shull	Shumake
Sisco	Solon	Sommer	Spencer	Stream	Swan	Swearingen	Thomson
Walker	Webber	White	Wieland	Wilson	Zerr	Mr Speaker	

## NOES: 45

Anders	Brattin	Burlison	Burns	Butler	Carpenter	Cross	Curtis
Englund	Frederick	Green	Guernsey	Hodges	Hummel	Hurst	Johnson
Keeney	Kelly 45	Kirkton	Marshall	McCann Beatty	McDonald	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Moon	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Pogue	Rehder	Rizzo	Runions
Schieber	Schupp	Torpey	Wood	Wright			

## PRESENT: 2

Gardner	Walton Gray
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## ABSENT: 4

Dunn	English	Gatschenberger	Smith
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## VACANCIES: 1

Also,

Mr. President:

I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HR 3**.

## HOUSE RESOLUTION NO. 3

BE IT RESOLVED by the House of Representatives, that the Chief Clerk of the House of Representatives inform the Senate that the House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's vetoes on **SCS for HCS for HB 1296**, **SS for SCS for HCS for HB 1326**, **HB 1455**, **CCS for SS for HB 1707**, **SS for SCS for HB 1865**, **HCS for HB 1999**, **CCS for SCS for HCS for HB 2004**, **CCS for SCS for HCS for HB 2006**, **CCS for SCS for HCS for HB 2013** and **SCS for HCS for HB 2021** when the bills were called by the Speaker.

**RESOLUTIONS**

Senator Kehoe offered Senate Resolution No. 7, regarding Beverly L. Honse, Vienna, which was adopted.

On motion of Senator Richard, the Senate of the Veto Session of the Second Regular Session of the 97th General Assembly adjourned sine die, pursuant to the Constitution.

PETER KINDER  
Lieutenant Governor

TERRY L. SPIELER  
Secretary of the Senate

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